



CITY OF
TUCSON

COMPREHENSIVE
PLANNING
TASK FORCE

January 15, 2003

To: Subscriber to the Tucson *Land Use Code (LUC)*

SUBJECT: SUPPLEMENT NO. 30 TO THE *LAND USE CODE (LUC)*

Dear Subscriber:

Enclosed is Supplement No. 30 to your copy of the City of Tucson *Land Use Code (LUC)*. An explanation of the revisions included in this Supplement is also enclosed.

This Supplement includes Ordinance No. 9780, Rio Nuevo and Downtown (RND) Zone, adopted by the Mayor and Council on October 14, 2002, and Ordinance No. 9781, Airport Environs Zone (AEZ), adopted by the Mayor and Council on October 28, 2002. In addition, some minor formatting errors have been corrected.

Please recycle and replace pages in your *LUC* as follows.

| <i>Table of Contents</i> | | |
|--|--------------------------------|--------------------------------|
| <i>Item</i> | <i>Remove Old Pages</i> | <i>Insert New Pages</i> |
| <i>Land Use Code</i> Table of Contents | iii/iv | iii/iv |
| <i>Article II. Zones</i> | | |
| <i>Item</i> | <i>Remove Old Pages</i> | <i>Insert New Pages</i> |
| Division 4. Office Zones | 57/58 | 57/58 |
| Division 6. Mixed Use Zones | 95/96 | 95/96 |
| Division 8. Overlay Zones | 119/120 | 119/120 |
| | 145-162 | 145-162 |
| ...includes Division 9. Open Space (OS) Zone | 179.4/179.6 | 179.4-179.8 |
| <i>Article III. Development Regulations</i> | | |
| <i>Item</i> | <i>Remove Old Pages</i> | <i>Insert New Pages</i> |
| Division 2. Development Criteria | 183/184 | 183/184 |
| | 199/200 | 199/200 |
| Division 3. Motor Vehicle & Bicycle Parking | 230-235 | 230-235 |
| <i>Article V. Administration</i> | | |
| <i>Item</i> | <i>Remove Old Pages</i> | <i>Insert New Pages</i> |
| Division 1. Powers and Duties | 334/335 | 334/335 |



| <i>Article VI. Definitions</i> | | |
|--|-------------------------|-------------------------|
| <i>Item</i> | <i>Remove Old Pages</i> | <i>Insert New Pages</i> |
| Division 2. Listing of Words and Terms | 433/434 | 433/434 |
| | 439/440 | 439/440 |
| | 451-455.1 | 451-455.2 |
| | | |
| <i>Index</i> | | |
| <i>Item</i> | <i>Remove Old Pages</i> | <i>Insert New Pages</i> |
| <i>Land Use Code</i> Index | 506-511 | 506-511 |
| | | |
| <i>Appendices</i> | | |
| <i>Item</i> | <i>Remove Old Pages</i> | <i>Insert New Pages</i> |
| Appendix 1 - Checklist of Up-to-Date Pages | 1-3 | 1-3 |
| | | |

Please insert and maintain this instruction sheet in the front of your copy of the *LUC*.

Should you have any questions while replacing these pages, please call me at 791-4505.

Sincerely,

Jennifer Noriega
Planning Technician

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Enclosures: Summary of Amendment
 Supplement No. 30

TUCSON *LAND USE CODE (LUC)* - SUPPLEMENT NO. 30

SUMMARY OF AMENDMENTS

ORDINANCE NOS. 9780 and 9781

ORDINANCE NO. 9780 (Adopted on October 14, 2002)

Rio Nuevo and Downtown (RND) Zone. The amendment establishes a new overlay zone, the Rio Nuevo and Downtown (RND) zone. The purpose of this overlay zone is to promote development which respects the downtown's historic context, while also providing for accessibility and architectural diversity. Also included in the amendment are reduced parking requirements for residential uses and a reduction in the minimum lot size for residential development falling within the O-3 zone downtown.

ORDINANCE NO. 9781 (Adopted on October 28, 2002)

Airport Environs Zone (AEZ). The amendment to the *Land Use Code (LUC)* protects the safety of the public and ensures land use compatibility in the Davis-Monthan Air Force Base (DMAFB) environs by establishing a new Approach-Departure Corridor (ADC) district, together with interim regulations for the ADC, in the Airport Environs Zone (AEZ).

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CITY OF TUCSON
CHAPTER 23 TUCSON CODE
LAND USE CODE
TABLE OF CONTENTS

| TABLE OF CONTENTS | | <u>Page</u> |
|--------------------------|---|--------------|
| (ARTICLE II) | | |
| DIVISION 7 | <u>INDUSTRIAL ZONES</u> | 104 |
| | SEC. 2.7.1 "P-I" PARK INDUSTRIAL ZONE | |
| | SEC. 2.7.2 "I-1" LIGHT INDUSTRIAL ZONE | |
| | SEC. 2.7.3 "I-2" HEAVY INDUSTRIAL ZONE | |
| DIVISION 8 | <u>OVERLAY ZONES</u> | 119 |
| | SEC. 2.8.1 HILLSIDE DEVELOPMENT ZONE (HDZ) | |
| | SEC. 2.8.2 SCENIC CORRIDOR ZONE (SCZ) | |
| | SEC. 2.8.3 MAJOR STREETS AND ROUTES (MS&R) SETBACK ZONE | |
| | SEC. 2.8.4 GATEWAY CORRIDOR ZONE | |
| | SEC. 2.8.5 AIRPORT ENVIRONS ZONE (AEZ) | |
| | SEC. 2.8.6 ENVIRONMENTAL RESOURCE ZONE (ERZ) | |
| | SEC. 2.8.7 DOWNTOWN HERITAGE INCENTIVE ZONE | |
| | SEC. 2.8.8 HISTORIC PRESERVATION ZONE (HPZ) | |
| | SEC. 2.8.9 DRACHMAN SCHOOL OVERLAY (DSO) ZONE | |
| | SEC. 2.8.10 RIO NUEVO AND DOWNTOWN (RND) ZONE | |
| DIVISION 9 | <u>OPEN SPACE (OS) ZONE</u> | 179.5 |
| ARTICLE III | <u>DEVELOPMENT REGULATIONS</u> | 180 |
| DIVISION 1 | <u>GENERAL PROVISIONS</u> | 180 |
| | SEC. 3.1.1 PURPOSE | |
| | SEC. 3.1.2 GENERAL PROVISIONS | |
| | SEC. 3.1.3 APPLICABILITY | |
| | SEC. 3.1.4 DEVELOPMENT STANDARDS | |
| DIVISION 2 | <u>DEVELOPMENT CRITERIA</u> | 181 |
| | SEC. 3.2.1 PURPOSE | |
| | SEC. 3.2.2 PRINCIPAL LAND USE | |
| | SEC. 3.2.3 PRINCIPAL STRUCTURE | |
| | SEC. 3.2.4 SECONDARY LAND USE | |
| | SEC. 3.2.5 ACCESSORY USES AND STRUCTURES | |
| | SEC. 3.2.6 PERIMETER YARDS | |
| | SEC. 3.2.7 STRUCTURE HEIGHT MEASUREMENT | |
| | SEC. 3.2.8 ACCESS PROVISIONS | |
| | SEC. 3.2.9 LOT COVERAGE | |
| | SEC. 3.2.10 RESIDENTIAL DENSITY CALCULATIONS | |
| | SEC. 3.2.11 FLOOR AREA RATIO (FAR) CALCULATION | |
| | SEC. 3.2.12 SOLAR CONSIDERATIONS | |
| | SEC. 3.2.13 STREETS | |
| | SEC. 3.2.14 LOTS | |

CITY OF TUCSON
CHAPTER 23 TUCSON CODE
LAND USE CODE
TABLE OF CONTENTS

| TABLE OF CONTENTS | | <u>Page</u> |
|--------------------------|---|-------------|
| (ARTICLE III) | | |
| DIVISION 3 | <u>MOTOR VEHICLE AND BICYCLE PARKING REQUIREMENTS</u> | 216 |
| | SEC. 3.3.1 PURPOSE | |
| | SEC. 3.3.2 APPLICABILITY | |
| | SEC. 3.3.3 GENERAL PROVISIONS | |
| | SEC. 3.3.4 REQUIRED NUMBER OF MOTOR VEHICLE AND BICYCLE PARKING SPACES | |
| | SEC. 3.3.5 MIXED USE PARKING REQUIREMENTS | |
| | SEC. 3.3.6 EXCEPTIONS | |
| | SEC. 3.3.7 DESIGN CRITERIA | |
| | SEC. 3.3.8 REDUCTIONS IN REQUIRED NUMBER OF MOTOR VEHICLE PARKING SPACES | |
| DIVISION 4 | <u>OFF-STREET LOADING</u> | 239 |
| | SEC. 3.4.1 PURPOSE | |
| | SEC. 3.4.2 APPLICABILITY | |
| | SEC. 3.4.3 GENERAL PROVISIONS | |
| | SEC. 3.4.4 DESIGN CRITERIA | |
| | SEC. 3.4.5 REQUIRED OFF-STREET LOADING SPACES | |
| DIVISION 5 | <u>PERFORMANCE CRITERIA</u> | 247 |
| | SEC. 3.5.1 GENERAL | |
| | SEC. 3.5.2 AGRICULTURAL USE GROUP | |
| | SEC. 3.5.3 CIVIC USE GROUP | |
| | SEC. 3.5.4 COMMERCIAL SERVICES USE GROUP | |
| | SEC. 3.5.5 INDUSTRIAL USE GROUP | |
| | SEC. 3.5.6 RECREATION USE GROUP | |
| | SEC. 3.5.7 RESIDENTIAL USE GROUP | |
| | SEC. 3.5.8 RESTRICTED ADULT ACTIVITIES USE GROUP | |
| | SEC. 3.5.9 RETAIL TRADE USE GROUP | |
| | SEC. 3.5.10 STORAGE USE GROUP | |
| | SEC. 3.5.11 UTILITIES USE GROUP | |
| | SEC. 3.5.12 WHOLESALING USE GROUP | |
| | SEC. 3.5.13 GENERALLY APPLIED CRITERIA | |
| DIVISION 6 | <u>DEVELOPMENT INCENTIVES</u> | 277 |
| | SEC. 3.6.1 RESIDENTIAL CLUSTER PROJECT (RCP) | |
| DIVISION 7 | <u>LANDSCAPING AND SCREENING REGULATIONS</u> | 286 |
| | SEC. 3.7.1 PURPOSE, INTENT, AND APPLICABILITY | |
| | SEC. 3.7.2 LANDSCAPE REQUIREMENTS | |
| | SEC. 3.7.3 SCREENING REQUIREMENTS | |

2.4.3 "O-3" OFFICE ZONE.

2.4.3.1 Purpose. This zone provides for mid-rise office development and other land uses which provide reasonable compatibility with adjoining residential uses.

2.4.3.2 Permitted Land Uses. The following Land Use Classes are principal Permitted Land Uses within this zone, subject to compliance with the development and compatibility criteria listed for the Development Designator indicated and to any additional conditions listed for each use. The number or letter in quotation marks following the Land Use Class refers to the Development Designator provisions of Sec. 3.2.3.

A. Commercial Services Use Group, Sec. 6.3.5

1. Administrative and Professional Office "30"
2. Communications "30", subject to: Sec. 3.5.4.20.B, .C, and .D.1 or .D.2 (Ord. No. 8813, §1, 3/3/97)
3. Day Care, subject to: Sec. 3.5.13.5
 - a. Adult day care "30"
 - b. Child care "16", subject to: Sec. 3.5.4.3.A, .B, .C, .D, .F.1, and .G.5, or
 - c. Child care "16", subject to: Sec. 3.5.4.3.A, .B, .C, .D, .E, .F.2, and .G.7
4. Medical Service - Extended Health Care "30", subject to: Sec. 3.5.13.5 (Ord. No. 9138, §1, 10/5/98)
5. Medical Service - Major "30", subject to: Sec. 3.5.4.9.A
6. Medical Service - Outpatient "30", subject to: Sec. 3.5.4.8.B
7. Research and Product Development "27", subject to: Sec. 3.5.4.14
(Ord. No. 9138, §1, 10/5/98)

B. Civic Use Group, Sec. 6.3.4

1. Cemetery "3", subject to: Sec. 3.5.3.1.A and Sec. 3.5.13.5
2. Civic Assembly "18"
3. Cultural Use "18", subject to: Sec. 3.5.3.2
4. Educational Use: Elementary and Secondary Schools "18", subject to: Sec. 3.5.3.7 and Sec. 3.5.13.5 (Ord. No. 9075, §1, 6/15/98)
5. Educational Use: Postsecondary Institution "18", subject to: Sec. 3.5.3.3 and Sec. 3.5.13.5
6. Postal Service "18", subject to: Sec. 3.5.3.2
7. Protective Service "18", subject to: Sec. 3.5.3.2

CITY OF TUCSON LAND USE CODE
ARTICLE II. ZONES
DIVISION 4. OFFICE ZONES
"O-3" OFFICE ZONE

8. Religious Use "18"

C. Recreation Use Group, Sec. 6.3.7

1. Neighborhood Recreation "18", subject to: Sec. 3.5.13.5

D. Residential Use Group, Sec. 6.3.8

1. Family Dwelling "L"

2. Family Dwelling "RCP-8", subject to: Sec. 3.6.1

3. Family Dwelling within the Rio Nuevo and Downtown Zone "J" (Ord. No. 9780, §1, 10/14/02)

4. Residential Care Services: Adult Care Service or Physical and Behavioral Health Service "30", subject to: Sec. 3.5.7.8.C.1 and .D (Ord. No. 9138, §1, 10/5/98)

5. Residential Care Services: Adult Care Service or Physical and Behavioral Health Service "30", subject to: Sec. 3.5.7.8.C.4, .D, and .H

6. Residential Care Services: Rehabilitation Service - children's facilities "30", subject to: Sec. 3.5.7.8.A, .C.1, and .D

7. Residential Care Services: Shelter Care - victims of domestic violence "30", subject to: Sec. 3.5.7.8.A, .C.3, and .D

8. Residential Care Services: Rehabilitation Service or Shelter Care "30", subject to: Sec. 3.5.7.8.A, .C.4, .D, .F, and .H

(Ord. No. 9138, §1, 10/5/98; Ord. No. 9780, §1, 10/14/02)

2.4.3.3 Special Exception Land Uses. The following Land Use Classes are not permitted within this zone, unless approved through the special approval procedure noted for the Land Use Class, and are subject to any additional conditions listed. The number or letter in quotation marks following the Land Use Class refers to the Development Designator provisions of Sec. 3.2.3. For further information concerning Special Exception Land Use applicability, refer to Sec. 5.3.9. (Ord. No. 8653, §1, 2/26/96)

A. Commercial Services Use Group, Sec. 6.3.5

1. Communications "7", limited to wireless communication towers and antennae, subject to: Sec. 3.5.4.20.B, .C, and .E.2, or Sec. 3.5.4.20.B, .C, and .F.1, or Sec. 3.5.4.20.B, .C, and .G (Ord. No. 8813, §1, 3/3/97)

- A. The site is under single ownership or control.
- B. The site's land area is a minimum of forty (40) acres, or if located in the Downtown Redevelopment District as defined in Sec. 6.2.4 or in the Rio Nuevo and Downtown (RND) Zone as defined in Sec. 6.2.18, there is no minimum site area. The Mayor and Council may authorize the initiation of a PAD District of less than the size required by this Section if the proposed PAD District is consistent with the intent of the PAD zone. (Ord. No. 9780, §2, 10/14/02)
- C. The PAD District shall be contiguous and in such configuration as to accommodate a well-integrated project.

2.6.3.6 Application. PAD District documents shall include the following elements in the form of either a map(s), text, or both, as applicable.

- A. Introduction and Policy. A description of the purpose, scope, main concepts, and goals of the PAD District, indicating the following.
 - 1. Substantial conformance with the *General Plan* and City land use plans which encompass all or part of the proposed PAD District. (Ord. No. 9517, §2, 2/12/01)
 - 2. The rationale for the use of a PAD zone rather than the use of other zones.
 - 3. The benefits to the community and the applicant by the use of a PAD District.
 - 4. The suitability of the PAD District to significant environmental factors if applicable.
 - 5. The compatibility of the PAD District with adjoining land uses.
 - 6. The physical and economic suitability and feasibility of the PAD District with existing infrastructure and services.
- B. Site Analysis.
 - 1. Significant natural and built constraints of the site and surroundings.
 - 2. Major transportation and circulation elements intended to serve the PAD District.
 - 3. Existing zoning of the PAD District site and parcels within one hundred fifty (150) feet.
 - 4. Adjacent parcels and structures within one hundred fifty (150) feet of the PAD District boundary.
 - 5. Off-site open space, recreational facilities, parks, and trails within one (1) mile of the PAD District site.
 - 6. Public, educational, community, and cultural facilities on site and within one (1) mile off site.
 - 7. Existing drainage.
 - 8. PAD District site affected by any overlay zone ordinances and the Major Streets and Routes (MS&R) Ordinance.
 - 9. Inventory of existing structures, roads, and other development.

CITY OF TUCSON LAND USE CODE
ARTICLE II. ZONES
DIVISION 6. MIXED USE ZONES
PLANNED AREA DEVELOPMENT (PAD) ZONE

10. Location and extent of existing provisions for sewage disposal, effluent use, stormwater drainage, and utilities.
 11. Inventory of existing infrastructure and public services.
 12. Hydrology and water resources.
 13. Topography and slope.
 14. Vegetation and wildlife.
 15. Geology and soils.
 16. Viewsheds and visual analysis.
 17. Paleontological and cultural (archaeological and historical) sites, structures, and districts.
- C. PAD District Proposal.
1. Illustrative site plan.
 2. The general allocation and identification of major proposed land uses, including residential (by density range), nonresidential, open space, and recreational land uses.
 3. Name, location, and extent of existing or proposed major streets located within the PAD District or needed for servicing the PAD District.
 4. Typical street cross-sections.
 5. A detailed listing of the permitted land uses in the PAD District.
 6. A detailed listing of the regulations governing permitted uses, including, performance standards and standards for development, regulations for development densities, heights, floor area and floor area ratios (FARs), open space, lot area and coverage, parking, landscaping, and other site improvements.
 7. Standards for the conservation, development, or utilization of natural resources, including surface water, soils, vegetation, and wildlife.
 8. Where applicable, the methods of conservation for scenic natural and built features and viewsheds.
 9. Standards and responsibilities for maintenance of infrastructure and whether the infrastructure is public or private.
 10. Standards for the phasing and construction of streets proposed for the PAD District or needed for servicing the project as identified in the required study(ies) submitted with the PAD District proposal.
 11. Standards for the phasing and construction of sewage disposal, effluent use, stormwater drainage, solid waste disposal, and public utilities as identified in the required study(ies) submitted with the PAD District proposal.
 12. A phasing schedule for the following, as applicable.
 - a. The preservation of site features established by the PAD District.

DIVISION 8. OVERLAY ZONES

SECTIONS:

- 2.8.1 HILLSIDE DEVELOPMENT ZONE (HDZ)**
 - 2.8.2 SCENIC CORRIDOR ZONE (SCZ)**
 - 2.8.3 MAJOR STREETS AND ROUTES (MS&R) SETBACK ZONE**
 - 2.8.4 GATEWAY CORRIDOR ZONE**
 - 2.8.5 AIRPORT ENVIRONS ZONE (AEZ)**
 - 2.8.6 ENVIRONMENTAL RESOURCE ZONE (ERZ)**
 - 2.8.7 DOWNTOWN HERITAGE INCENTIVE ZONE**
 - 2.8.8 HISTORIC PRESERVATION ZONE (HPZ)**
 - 2.8.9 DRACHMAN SCHOOL OVERLAY (DSO) ZONE**
 - 2.8.10 RIO NUEVO AND DOWNTOWN (RND) ZONE**
-

2.8.1 HILLSIDE DEVELOPMENT ZONE (HDZ).

- 2.8.1.1 Introduction. Tucson is surrounded by mountains. These mountainous areas exhibit steep slopes which may contain unstable rock and soils. Development on potentially unstable soils or rock can be hazardous to life and property. Development in these areas should utilize construction methods which ensure slope stabilization and minimize soil erosion.

Tucson's mountains and foothills are valuable scenic resources which should be preserved. Dominant peaks and ridges should be protected in order to preserve the city's unique visual setting, promote its economic well-being, and encourage tourism. Regulating the intensity of development according to the natural characteristics of hillside terrain, such as degree of slope, significant vegetation and landforms, and soil stability and existing drainage patterns, will allow for development in hillside areas while minimizing the physical impacts of such development.

- 2.8.1.2 Purpose. This zone provides for the reasonable use of hillside areas and related lands while protecting the public health, safety, and general welfare by:

- A. Determining whether certain types of soil conditions exist, such as loose or easily eroded soils or rocky soils which may require blasting, and utilizing appropriate engineering technology to result in stable slopes during and subsequent to development.
- B. Reducing water runoff, soil erosion, and rock slides by minimizing grading and by requiring revegetation.
- C. Permitting intensity of development compatible with the natural characteristics of hillside terrain, such as degree of slope, significant landforms, soil suitability, and existing drainage patterns.
- D. Preserving the scenic quality of the desert and mountain environment through the retention of dominant peaks and ridges in their natural states.
- E. Reducing the physical impact of hillside development by encouraging innovative site and architectural design, minimizing grading, and requiring restoration of graded areas.
- F. Providing safe and convenient vehicular access by encouraging development on the less steeply sloped terrain.

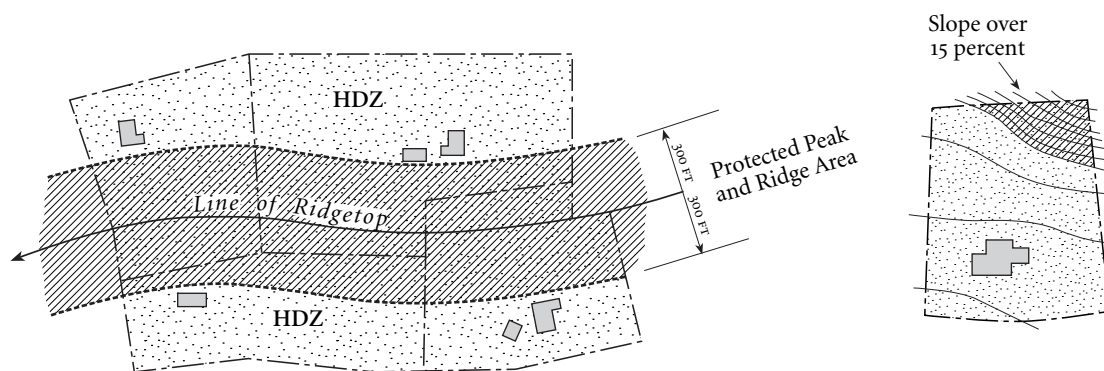
CITY OF TUCSON LAND USE CODE
ARTICLE II. ZONES
DIVISION 8. OVERLAY ZONES
HILLSIDE DEVELOPMENT ZONE (HDZ)

- G. Promoting cost-efficient public services by encouraging development on the less steeply sloped terrain, thereby minimizing service extensions and utility costs and maximizing access for all necessary life safety services.

2.8.1.3 Applicability. The provisions of the Hillside Development Zone (HDZ) apply to development in the areas listed below. (See Illustration 2.8.1.3.)

- A. *Protected Peak and Ridge Areas*. Any lot or parcel containing protected peak and ridge areas designated for protection by the Mayor and Council, as shown on the City Zoning Maps.
- B. *Slope Areas of Fifteen (15) Percent or Greater*. Any lot or parcel containing slopes of fifteen (15) percent or greater, as shown on the HDZ Maps. Methods of analyzing slope are given in Development Standard 9-04.0.

The whole parcel is included if any portion is within the Protected Peak and Ridge Area or the slope on any portion is over 15 percent.



2.8.1.3 Applicability of Hillside Development Zone (HDZ)

- C. *Approved Subdivisions*. Any recorded subdivision plat approved in compliance with the Pima County HDZ or the City of Tucson HDZ may be developed in compliance with the conditions and stipulations as approved. If the plat is resubdivided, it must comply with all provisions of the HDZ currently in effect.
- D. *Exceptions*.
1. The HDZ regulations do not apply to any lot or parcel located within the city limits south of the Rillito River/Tanque Verde, east of the Silverbell Road-Congress Street-Grande Avenue-Mission Road alignment, west of Harrison Road, and north of the Los Reales-Interstate 10 alignment, unless otherwise identified on the HDZ maps.
 2. The HDZ regulations do not apply to vacant residentially-zoned lots or parcels, legally created as of September 15, 1980, and containing an area of sixteen thousand (16,000) square feet or less, unless, after July 19, 1989, the lot or parcel is divided into two (2) or more parcels or used for other than one (1) single-family dwelling.

3. *Relocation of Utilities.* Relocation of overhead utility facilities required by public improvement districts along Gateway Routes will conform with existing franchise requirements.

2.8.4.5 Variances. The Development Review Board (DRB) shall review all requests for variances from Gateway Route regulations as provided in Sec. 5.1.8.3.H and shall forward its recommendations in accordance with Sec. 5.1.8.2.F. (Ord. No. 9179, §1, 12/14/98)

2.8.5 AIRPORT ENVIRONS ZONE (AEZ).

- 2.8.5.1 Purpose. The purpose of this overlay zone is to protect the health, safety, and welfare of persons and property in the vicinity of Tucson International Airport and Davis-Monthan Air Force Base. This is accomplished by: (1) reducing noise and safety hazards associated with aircraft operations; (2) preserving the operational stability of these airports; and (3) assisting in the implementation of policies and recommendations in the City's *General Plan* and Airport Environs Plan, the Air Installation Compatible Use Zone Report (AICUZ), and the Airport Noise Control and Land Use Compatibility (ANCLUC) Study. The overlay district further: (Ord. No. 9517, §2, 2/12/01)
- A. Promotes the compatibility of uses with aircraft operations through the establishment of criteria for the regulation of building height and density.
 - B. Addresses potentially life-threatening situations in areas exposed to aircraft accident potential through restrictions on the congregation of large numbers of people or high concentrations of people and by restrictions on concentrations of people who are unable to respond to emergency situations, such as children, the elderly, the handicapped, and persons undergoing medical treatment.
 - C. Increases the protection of persons exposed to high levels of aircraft noise by requiring acoustical treatment in buildings located within these areas and regulating those uses which are sensitive to such noise.
 - D. Prohibits uses which create potential hazards to the safe approach and departure of aircraft.
 - E. Recognizes the role of Davis-Monthan Air Force Base in the Tucson economy and protects the City's interest in ensuring the continued viability and operation of Davis-Monthan AFB by limiting the encroachment of incompatible land uses in the Approach-Departure Corridor (ADC). (Ord. No. 9781, §1, 10/28/02)
- 2.8.5.2 Maps Established. The Airport Environs Zone (AEZ) includes districts and zones that do not necessarily have the same boundaries. The AEZ is made up of the following eleven (11) zones and districts. (*See Map 2.8.5.2-I.*) (Ord. No. 9781, §1, 10/28/02)
- A. Compatible Use Zone-One (CUZ-1)
 - B. Compatible Use Zone-Two (CUZ-2)
 - C. Compatible Use Zone-Three (CUZ-3)
 - D. Accident Potential Zone-One (APZ-1)
 - E. Accident Potential Zone-Two (APZ-2)
 - F. Accident Potential Zone-Three (APZ-3)
 - G. Accident Potential Zone-Four (APZ-4)
 - H. Noise Control District-65 (NCD-65)
 - I. Noise Control District-70 (NCD-70)
 - J. Airport Hazard Districts (AHD)
 - K. Approach-Departure Corridor (ADC) (Ord. No. 9781, §1, 10/28/02)

The boundaries of these districts and zones are identified for Tucson International Airport and for Davis-Monthan Air Force Base by the Airport Environs Zone (AEZ) Overlay Map series kept on file in the offices of the City Clerk, the Development Services Department (DSD), and the Planning Department. The AEZ Overlay Map series is hereby established as the official AEZ Overlay Map series and becomes effective on May 16, 1990, as amended on January 28, 1991, April 27, 1992, and October 28, 2002. (Ord. No. 9392, §1, 5/22/00; Ord. No. 9781, §1, 10/28/02)

- 2.8.5.3 Applicability. Where more than one (1) district or zone is applicable to a property, the requirements of all applicable districts or zones apply. Where requirements conflict, the most restrictive applies. The provisions of the Airport Environs Zone (AEZ) apply to the following on all property located within the AEZ boundaries established by Sec. 2.8.5.2. For property partially within the AEZ, the provisions apply to only those portions within the boundaries of the AEZ. For areas outside the city limits, which have not been annexed by the City, the AEZ overlay provisions apply upon annexation.
- A. New development.
- B. A change in, expansion of, or addition to the use of an existing structure as follows.
1. The residential density, employee density, and emergency evacuation plan and training requirements of Sec. 2.8.5.5 apply to the entire existing structure if the change, expansion, or addition results in an increase in any of the following.
 - a. Employee density.
 - b. Residential density.
 - c. Number of employees.
 - d. Number of persons of the general public for whom the structure was intended or designed to accommodate.
 2. The noise attenuation requirements of Sec. 2.8.5.6 apply to the entire existing structure if the use of the existing structure is changed from any other land use to one (1) or more of the following uses.
 - a. Residential.
 - b. Place of public accommodation.
 - c. Administrative or Professional Office.
- C. Expansion of an existing development as follows.
1. If the gross floor area of a structure or the gross floor area on a project site is expanded by less than fifty (50) percent, the provisions of the Airport Environs Zone (AEZ) apply only to the areas of expansion.
 2. If the gross floor area of a structure is expanded by fifty (50) percent or more, the requirements of Sec. 2.8.5.6 apply to the entire structure. The sound attenuation requirement in this Section does not, however, apply to an expansion of the following types of structures existing prior to May 16, 1990.
 - a. A single-family or duplex dwelling.
 - b. A mobile home.

- c. A manufactured housing unit.
- 3. If the gross floor area on a project site is expanded by fifty (50) percent or more, the employee density, lot coverage, and emergency evacuation plan and training requirements of Sec. 2.8.5.5 apply to the entire project site.
- 4. Cumulation of Expansions. Expansions are cumulated over time from May 16, 1990. Once a structure or project site is brought into conformance with the provisions of this Section, subsequent expansions are accumulated as of the date the existing structure or project site is brought into conformance.
- D. Nothing contained in this Section affects existing property or the right to its continued use for the purpose legally used at the time these regulations become effective, nor do these regulations affect any reasonable repairs to, or alterations of, buildings or property used for such existing purposes.
- E. Owners of property within the Airport Environs Zone (AEZ) or in the vicinity of the military airport should be aware that Arizona Revised Statutes (ARS), Title 28, contains provisions which may apply to some properties regulated under this Section. The provisions require property owners to inform potential purchasers, lessees, and renters that a property is in an airport zoning district. (Ord. No. 9781, §1, 10/28/02)

2.8.5.4 General Provisions.

- A. *Permitted Uses.* The land uses permitted are those permitted by the underlying zone, except as restricted by this Section.
- B. *Posting of Occupancy Limitations.* Any restriction of occupancy required under this ordinance as a condition of building permit issuance or certificate of occupancy will be posted on the premises. The owner/manager(s) of the premises may not permit the limitation to be exceeded. (Ord. No. 9392, §1, 5/22/00)

2.8.5.5 Compatible Use Districts. The Compatible Use Districts, for the purposes of this Section, are comprised of Compatible Use Zones, established near the ends of Tucson International Airport runways, and Accident Potential Zones, established near the ends of Davis-Monthan Air Force Base runways. The APZ-1, APZ-2, CUZ-1, and CUZ-2 Districts have been established in the areas to the north and west of the Airport and Air Base. The APZ-3, APZ-4, and CUZ-3 Districts have been established in those areas to the south and east of the Airport and Air Base. For dimensions of the CUZs and APZs, refer to Sec. 2.8.5.9. Land use regulations within the Compatible Use Districts are as follows.

A. *APZ-1 and CUZ-1.*

- 1. Single-family and multifamily dwellings and mobile homes are permitted, only if the property is zoned IR, RH, SR, RX-1 (UR), RX-2, R-1, R-2, MH-1 (MH), MH-2 (MHP), or R-3 and such zone was in place prior to May 16, 1990. Other uses allowed by the underlying zoning are permitted, except as modified by Sec. 2.8.5.5.E.
 - a. Residential clustering options as described in Sec. 3.6.1, Residential Cluster Project (RCP), are not permitted.
 - b. Residential development may occur in compliance with underlying zoning, with no more than twenty-five (25) dwelling units per building.
- 2. No more than one (1) employee for every two hundred fifty (250) square feet of gross floor area of all buildings on a project site at any time may be accommodated by intention, design, or in fact.

3. Structures or uses with fifty (50) or more employees must develop an emergency evacuation plan and training program and implement it as approved by the Fire Department. (Ord. No. 9392, §1, 5/22/00)
4. The maximum height limit is seventy-five (75) feet, except where Sec. 2.8.5.7 reduces that limit.

B. *APZ-2 and CUZ-2.*

1. Single-family and multifamily dwellings and mobile homes are permitted, only if the property is zoned IR, RH, SR, RX-1 (UR), RX-2, R-1, R-2, MH-1 (MH), MH-2 (MHP), or R-3 and such zone was in place prior to May 16, 1990. Other uses allowed by the underlying zoning are permitted, except as modified by Sec. 2.8.5.5.E.
 - a. Residential clustering options as described in Sec. 3.6.1, Residential Cluster Project (RCP), are not permitted.
 - b. Residential development may occur in compliance with underlying zoning, with no more than twenty-five (25) dwelling units per building.
2. Structures or uses with fifty (50) or more employees must develop an emergency evacuation plan and training program and implement it as approved by the Fire Department. (Ord. No. 9392, §1, 5/22/00)
3. The maximum height limit is seventy-five (75) feet, except where Sec. 2.8.5.7 reduces that limit.

C. *APZ-3 and CUZ-3.*

1. In CUZ-3, single-family and multifamily dwellings and mobile homes are permitted, only if the property is zoned IR, RH, SR, RX-1 (UR), RX-2, R-1, R-2, MH-1 (MH), MH-2 (MHP), or R-3 and such zone was in place prior to May 16, 1990. Other uses allowed by the underlying zoning are permitted, except as modified by Sec. 2.8.5.5.E.
 - a. Residential clustering options as described in Sec. 3.6.1, Residential Cluster Project (RCP), are not permitted.
 - b. Minimum lot area per dwelling unit is one hundred forty-four thousand (144,000) square feet.
2. In CUZ-3, no development may exceed seventy-five (75) percent lot coverage and 0.375 Floor Area Ratio (FAR). (Ord. No. 8653, §1, 2/26/96)
3. In CUZ-3, no structure or use or contiguous structure or use may accommodate, by intention or design, in whole or in part, at any one time, more than fifty (50) employees.
4. In APZ-3, the land uses listed in Sec. 2.8.5.10.B may be permitted subject to approval pursuant to Sec. 2.8.5.10.D, except for land uses prohibited by Sec. 2.8.5.5.E and Sec. 2.8.5.10.C.

(Ord. No. 9781, §1, 10/28/02)

D. *APZ-4.*

1. Land uses are permitted as regulated by Sec. 2.8.5.10, except for Sec. 2.8.5.10.B.6, Retail Trade Use Group, and the land uses prohibited by Sec. 2.8.5.5.E. (Ord. No. 9781, §1, 10/28/02)

E. *Prohibited Uses.*

1. Public assembly is prohibited within APZ-1, APZ-2, APZ-3, APZ-4, CUZ-1, CUZ-2, and CUZ-3.
 - a. Exception: Accessory Food Service uses for employees only; such uses will be provided on-site entirely within a structure devoted to a permitted principal use.
2. In addition to public assembly, the following uses are prohibited within APZ-1, APZ-2, CUZ-1, and CUZ-2.
 - a. Civic Assembly of fifty (50) or more persons.
 - b. Day Care.
 - c. Educational Use: Elementary and Secondary Schools.
 - d. Medical Service.
 - e. Adult care homes, adult care facilities, specialized treatment homes, and group homes for the seriously mentally ill.
3. In addition to public assembly, the following uses are prohibited within APZ-3, APZ-4, and CUZ-3.
 - a. Alcoholic Beverage Service (on premises).
 - b. Civic Assembly.
 - c. Cultural Use.
 - d. Day Care.
 - e. Educational Use.
 - f. Entertainment (indoor and outdoor).
 - g. Financial Service (except automated teller).
 - h. Food Service (on premises, except as accessory use).
 - i. General Merchandise Sales (retail stores over 2,500 square feet gross floor area).
 - j. Medical Service - Major.
 - k. Membership Organization.
 - l. Medical Service - Outpatient.
 - m. Recreation (indoor and outdoor).
 - n. Religious Use.
 - o. Swap Meet or Auction.
 - p. Travelers' Accommodation.

2.8.5.6 Noise Control Districts.

A. *NCD-65.*

1. Within Noise Control District-65, the following uses must be provided with insulation to reduce the interior noise level to an Ldn of 45 or less, as specified by the Uniform Building Code, Chapter 35, Section 3501, Sound Transmission Control.
 - a. All site-built residential uses.
 - b. All places of public accommodation.
 - c. All Administrative and Professional Offices.
2. A manufactured housing unit will not be considered equivalent to a single-family dwelling within the boundaries of NCD-65, unless located on a property zoned MH-1 or MH-2 or unless it can be demonstrated that the unit provides adequate sound attenuation to reduce the interior noise level to Ldn 45. (Ord. No. 9374, §1, 4/10/00)
3. Prohibited Uses: Within NCD-65, the following uses are prohibited.
 - a. Day Care.

B. *NCD-70.*

1. Within Noise Control District-70, the following uses must be provided with insulation to reduce the interior noise level to an Ldn of 45 or less, as specified by the Uniform Building Code, Chapter 35, Section 3501, Sound Transmission Control.
 - a. All site-built residential uses.
 - b. All places of public accommodation.
 - c. All Administrative and Professional Offices.
2. Single-family and multifamily dwellings are permitted, provided the property is residentially zoned as of May 16, 1990, and provided the interior noise level is reduced to an Ldn of 45 or less as specified in Sec. 2.8.5.6.B.1.
3. A manufactured housing unit will not be considered equivalent to a single-family dwelling within the boundaries of NCD-70, unless located on a property zoned MH-1 or MH-2 or unless it can be demonstrated that the unit provides adequate sound attenuation to reduce the interior noise level to Ldn 45. (Ord. No. 9374, §1, 4/10/00)
4. Special Exception Land Uses. The following uses are generally considered to be inappropriate within the high noise area, NCD-70. They may be approved as Special Exception Land Uses upon application, review, and approval in accordance with Sec. 5.4.3.5, Type V Administrative Procedure. In addition to the standard notice required for Special Exception Land Use applications, the Tucson Airport Authority and Davis-Monthan Air Force Base will be notified of all such applications within the boundaries of the Airport Environs Zone (AEZ). (Ord. No. 9781, §1, 10/28/02)
 - a. Civic Assembly.

- b. Cultural Use.
- c. Educational Use: Postsecondary Institution.
- d. Entertainment.
- e. Medical Service - Major.
- f. Swap Meet or Auction.

In addition to the required findings and conditions specified in Sec. 5.4.3.5, Type V Administrative Procedure, these uses must be shown to be consistent with the intent of the Airport Environs Zone (AEZ) and the Airport Environs Plan or the Air Installation Compatible Use Zone (AICUZ) Report and must be capable of sound attenuation to mitigate the effects of high noise. In addition, all activity associated with the use must be shown to take place within an enclosed building. An acoustical engineer must demonstrate that the proposed use is noise insulated to an interior noise level of an Ldn of 45 or less. (Ord. No. 9781, §1, 10/28/02)

- 5. Prohibited Uses. Within NCD-70, the following uses are prohibited.
 - a. Day Care.
 - b. Educational Use: Elementary and Secondary Schools.

2.8.5.7 Airport Hazard Districts. No structure, use of land, or tree may exceed the height limitations as described by the Airport Hazard Districts within the Airport Environs Zone (AEZ). Certain uses are prohibited from these districts as noted below.

A. The Airport Hazard Districts are identified on the Airport Environs Zone (AEZ) Maps and are established as follows.

- 1. *Tucson International Airport*. The height limits around Tucson International Airport are based on distances away from established ends of runways. The M.S.L. elevations of the established ends of runways are as follows.
 - a. NE end of runway 21 is 2,567 feet M.S.L.
 - b. SW end of runway 3 is 2,561 feet M.S.L.
 - c. NW end of runway 11L is 2,575 feet M.S.L.
 - d. SE end of runway 29R is 2,641 feet M.S.L.
 - e. NW end of runway 11R is 2,583 feet M.S.L.
 - f. SE end of runway 29L is 2,660 feet M.S.L.
- 2. *Davis-Monthan Air Force Base*. The height limits around Davis-Monthan Air Force Base are based on distances away from established ends of runways and also on a conical or inclined surface extending outward and upward from the established runway elevation at a ratio of 60:1. The established ends of runway M.S.L. elevations are as follows.
 - a. NW end of the NW/SE runway is 2,590 M.S.L.
 - b. SE end of the NW/SE runway is 2,705 M.S.L.

- B. **Height Measurement.** The height of a building, structure, or tree is measured from the M.S.L. elevation at the end of the runway to a point specified in Sec. 3.2.7 or to the highest point of a tree. (*See Illustration 2.8.5.7.B.*)

Height of a building, structure or tree is measured from the msl elevation at the end of the runway to a point specified in sec. 3.2.7 or to the highest point of a tree.



**2.8.5.7.B Height Measurement in
Airport Hazard Districts**

- C. **Conflicts in Heights.** Where two (2) or more height restrictions are placed on a parcel, the more restrictive height limit prevails. Height limit exceptions noted in Sec. 3.2.7.3 do not apply within the Airport Environs Zone (AEZ).
- D. **Prohibited Uses.** Airport hazards as defined in Sec. 6.2.1 are prohibited within the boundaries of the Airport Hazard Districts.

2.8.5.8 **Variances.** Variances from the provisions of Sec. 2.8.5.7 are allowed as set forth in the provisions established by Arizona Revised Statutes (ARS), Title 28. (Ord. No. 9781, §1, 10/28/02)

2.8.5.9 **Compatible Use Districts, Accident Potential Zones, and Approach-Departure Corridor - Dimensions.** (Ord. No. 9781, §1, 10/28/02)

| TABLE 2.8.5-I | | | |
|--|-----------------|-----------------|-----------------|
| TUCSON INTERNATIONAL AIRPORT COMPATIBLE USE ZONES | | | |
| Approach End of Runway | CUZ-1 | CUZ-2 | CUZ-3 |
| 21 | ** | 1,750' x 5,000' | --- |
| 3 | ** | 1,750' x 5,000' | --- |
| 11L | 1,750' x 3,500' | 1,750' x 5,000' | --- |
| 11R | 1,750' x 3,500' | 1,750' x 5,000' | --- |
| *29L | --- | --- | 1,500' x 3,500' |
| 29R | --- | --- | 1,500' x 3,500' |

* Based on future runway location, Tucson International Airport Master Plan Update.

** No CUZ-1 has been established for the crosswinds runway. The CUZ-2 is located in place of the CUZ-1 for that runway.

CITY OF TUCSON LAND USE CODE
ARTICLE II. ZONES
DIVISION 8. OVERLAY ZONES
AIRPORT ENVIRONS ZONE (AEZ)

| TABLE 2.8.5-II | | | | |
|--|-----------------|-----------------|-----------------|-----------------|
| DAVIS-MONTHAN AIR FORCE BASE ACCIDENT POTENTIAL ZONES | | | | |
| Runway | APZ-1 | APZ-2 | APZ-3 | APZ-4 |
| NW | 3,000' x 5,000' | 3,000' x 7,000' | --- | --- |
| SE | --- | --- | 3,000' x 5,000' | 3,000' x 7,000' |

(Ord. No. 8582, §1, 9/25/95)

| TABLE 2.8.5-III | |
|---|------------------------------|
| DAVIS-MONTHAN AIR FORCE BASE APPROACH-DEPARTURE CORRIDOR | |
| Runway | |
| SE | 2,000' to 16,000' x 50,000'* |

*APZ-3 and APZ-4 plus the land area starting 200' from the southeast runway end at a width of 2,000' and extending outward 50,000' to a width of 16,000'.

(Ord. No. 9871, §1, 10/28/02)

2.8.5.10 Approach-Departure Corridor (ADC). (See Map 2.8.5.2-I.)

- A. Within the Approach-Departure Corridor (ADC), all land uses must comply with the requirements of Sec. 2.8.5.6.A, Noise Control District - 65.
- B. Permitted Uses. Subject to the provisions of the applicable underlying zoning, the following uses are permitted in the Approach-Departure Corridor (ADC):
 1. Agricultural Use Group.
 2. Civic Use Group.
 - a. Cemetery.
 - b. Protective Service.
 3. Commercial Services Use Group.
 - a. Animal Service.
 - b. Automotive – Service and Repair.
 - c. Billboard.
 - d. Building and Grounds Maintenance.
 - e. Communications.
 - f. Construction Service.
 - g. Financial Service (automated tellers only).
 - h. Parking.
 - i. Trade Service and Repair, Major and Minor.
 - j. Transportation Service, Land Carrier.

4. Industrial Use Group.
 - a. Craftwork.
 - b. Extraction.
 - c. General Manufacturing.
 - d. Heavy Equipment Manufacturing.
 - e. Perishable Goods Manufacturing.
 - f. Precision Manufacturing.
 - g. Primary Manufacturing.
 - h. Salvaging.
5. Recreation Use Group.
 - a. Golf Course.
 - b. Open Space.
6. Retail Trade Use Group.
 - a. Heavy Equipment Sales.
 - b. Vehicle Rental and Sales.
7. Storage Use Group.
 - a. Commercial Storage.
 - b. Personal Storage.
8. Utilities Use Group.
 - a. Distribution System.
 - b. Generating System.
9. Wholesaling Use Group.
 - a. Business Supply and Equipment Wholesaling.
 - b. Construction/Heavy Equipment Wholesaling.
 - c. Food and Beverage Wholesaling.
10. Development within the Approach-Departure Corridor (ADC) is limited to 0.50 FAR, and no more than twenty (20) employees for every acre of lot area may be accommodated by intention or in fact.

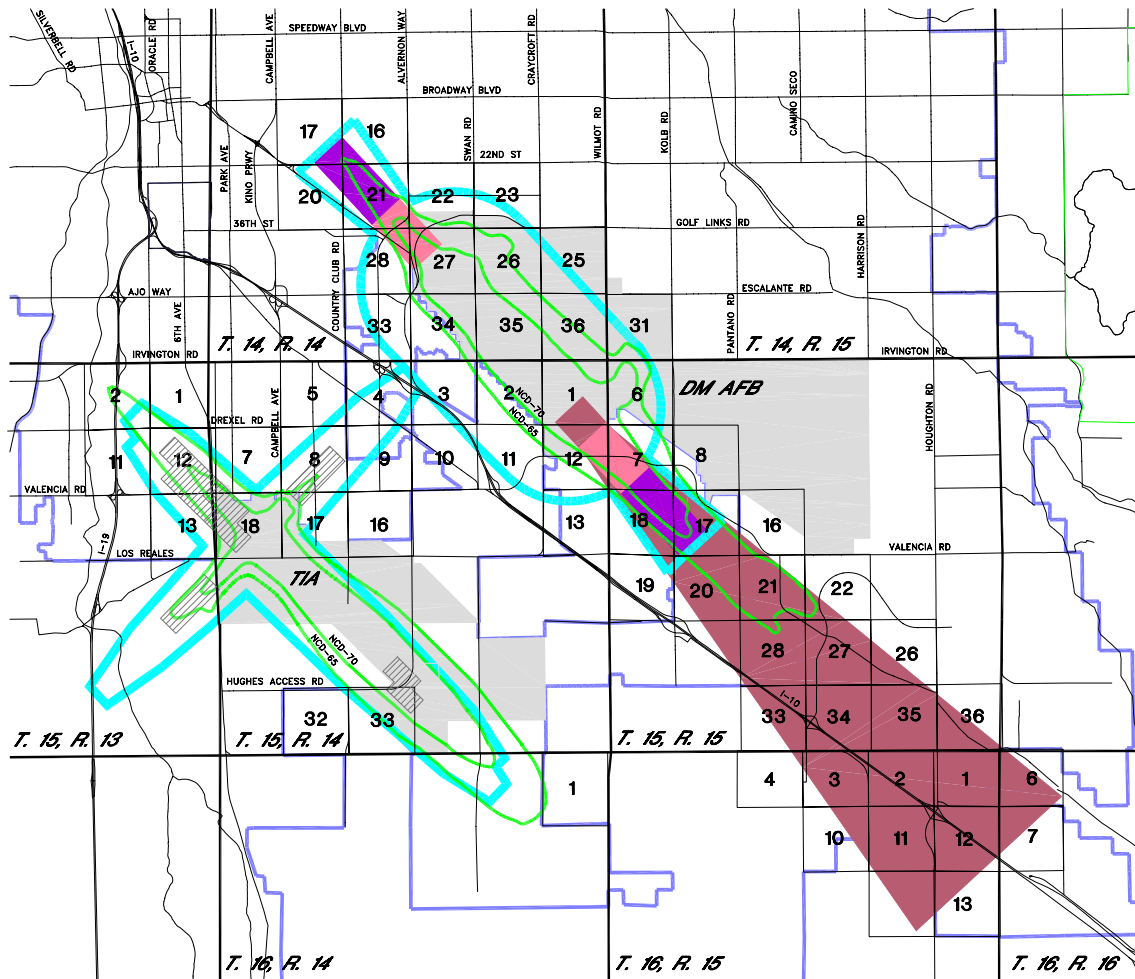
C. Prohibited Uses.

1. Civic Use Group.
 - a. Civic Assembly.
 - b. Educational Uses, Elementary and Secondary Schools.
 - c. Religious Use.
2. Commercial Services Use Group.
 - a. Alcoholic Beverage Service (Large Bar).
 - b. Day Care.
 - c. Entertainment (Dance Hall).
 - d. Medical Service – Extended Health Care.
 - e. Medical Service – Major.
 - f. Transportation Service, Air Carrier.
3. Industrial Use Group.
 - a. Hazardous Material Manufacturing.
 - b. Refining.
4. Residential Use Group, unless the property is zoned IR, RH, SR, RX-1 (UR), RX-2, R-1, R-2, MH-1 (MH), MH-2 (MHP), or R-3 and such zone was in place prior to May 16, 1990.
 - a. Residential clustering options as described in Sec. 3.6.1, Residential Cluster Project (RCP), are not permitted.
 - b. Minimum lot area per dwelling unit is one hundred forty-four thousand (144,000) square feet.
5. Storage Use Group.
 - a. Hazardous Material Storage.
6. Wholesaling Use Group.
 - a. Hazardous Material Wholesaling.

- D. Special Exception Land Uses. All land uses not specifically permitted or prohibited, including developments that are proposed to exceed the limits of Sec. 2.8.5.10.B.10, in the Approach-Departure Corridor (ADC) must be analyzed for: 1) land use compatibility with base operations, 2) reduced numbers of people in closer proximity to the end of the runway, 3) restricted floor area ratios based on proximity to the end of the runway, 4) location in relationship to major flight tracks, and 5) compliance with Arizona Revised Statutes (ARS), Sec. 28-8481. They may be approved as Special Exception Land Uses upon application, review, and approval in accordance with Sec. 5.4.3.5, Type V Administrative Procedure. In addition to the standard notice required for Special Exception Land Use applications, the Tucson Airport Authority and Davis-Monthan Air Force Base will be notified of all such applications within the boundaries of the Airport Environs Zone (AEZ).








(Ord. No. 9781, §1, 10/28/02)

CITY OF TUCSON LAND USE CODE
ARTICLE II. ZONES
DIVISION 8. OVERLAY ZONES
AIRPORT ENVIRONS ZONE (AEZ)



AIRPORT ENVIRONS ZONE (AEZ)

Legend

| | | | |
|---|--------------------------|--|-----------------------------|
|  | Airports |  | Airport Hazard Districts |
|  | Tucson City Limits |  | Noise Control Districts |
|  | Compatible Use Zones |  | Approach/Departure Corridor |
|  | Accident Potential Zones | | |

MAPS ORIGINALLY ADOPTED BY THE MAYOR AND COUNCIL,
APRIL 16, 1990, BY ORDINANCE NO. 7399.

AMENDED JANUARY 26, 1991, BY ORDINANCE NO. 7557

AMENDED APRIL 27, 1992, BY ORDINANCE NO. 7805

AMENDED OCTOBER 28, 2002, BY ORDINANCE NO. 9781

Map 2.8.5.2-I AEZ Base Map

2.8.6 ENVIRONMENTAL RESOURCE ZONE (ERZ).

- 2.8.6.1 Purpose. These regulations are intended to recognize the value of Tucson's natural open space resources, particularly the critical and sensitive wildlife habitat of eastern Pima County associated with public monuments, forests, and preserves. These regulations relate to areas associated with Tucson's public lands and preserves, including Saguaro National Park, Coronado National Forest, and Tucson Mountain Park. It is the intent of these regulations to protect valuable habitat resources to the greatest extent possible. Development, compatible with these public resources, is allowed.

This overlay zone specifically serves to:

- A. Recognize the social, economic, environmental, biologic, and cultural importance of Saguaro National Park and Tucson Mountain Park to the city of Tucson.
- B. Buffer Saguaro National Park and Tucson Mountain Park from the impacts of new development by allowing development which is compatible with preservation of critical wildlife habitat and the Park environs.
- C. Conserve certain designated washes which extend from the Parks as areas of natural and scenic resources and provide valuable wildlife habitat.
- D. Complement the City of Tucson Interim Watercourse Improvement Policy which provides for flood control, erosion mitigation, and groundwater recharge through the preservation of designated washes in natural and undisturbed states.
- E. Assist in implementing the *General Plan* policies which call for the preservation of Tucson's significant natural areas along designated watercourses where identified in adopted area and neighborhood plans. (Ord. No. 9517, §2, 2/12/01)

2.8.6.2 Applicability.

- A. *Areas Mapped.* Parcels which may contain critical riparian habitat are shown on a series of maps approved by the Mayor and Council called the Environmental Resource Zone Overlay Maps (ERZ Maps) which are an exhibit to this ordinance incorporated herein by reference and kept on file in the Planning Department and the Development Services Department (DSD). ERZ Maps will include all parcels along the subject washes which may contain riparian habitat, including those parcels that are not vacant. These maps are based on the Critical and Sensitive Wildlife Habitat Map which the Mayor and Council adopted by Resolution #15149. (Ord. No. 9392, §1, 5/22/00)
- B. *Resource Corridors.* Critical riparian habitat is associated with resource corridors along the following washes and their tributaries, which are shown on the Environmental Resource Zone Overlay Maps (ERZ Maps): 1) Agua Caliente; 2) Ajo; 3) Anklam; 4) Camino de Oeste; 5) Coronado Ridge; 6) Cuprite; 7) Enchanted Hills; 8) Escalante; 9) Este; 10) Fagan; 11) Flato; 12) Franco; 13) Greasewood; 14) Julian; 15) North Fork Airport; 16) Petty Ranch; 17) Race Track; 18) Reyes; 19) Rincon Creek; 20) San Juan; 21) Silvercroft; 22) South Fork Airport; 23) Summit; 24) Tanque Verde Creek; 25) Thomas Sousa; 26) portions of the West Branch of the Santa Cruz; and 27) West Speedway (Painted Hills). (Ord. No. 8423, §3, 12/12/94; Ord. No. 8625, §1, 1/2/96; Ord. No. 8659, §1, 3/4/96; Ord. No. 8839, §1, 3/17/97; Ord. No. 8868, §1, 5/5/97; Ord. No. 9615, §2, 10/1/01)
- C. *New Development.* New development which occurs on parcels shown on the Environmental Resource Zone Overlay Maps (ERZ Maps) will be reviewed for compliance with these regulations.

CITY OF TUCSON LAND USE CODE
ARTICLE II. ZONES
DIVISION 8. OVERLAY ZONES
ENVIRONMENTAL RESOURCE ZONE (ERZ)

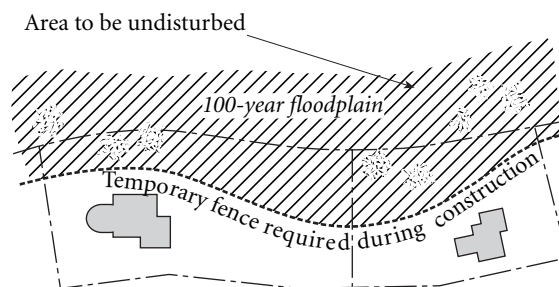
- D. *Rezoning.* Rezoning applications for parcels adjacent to the washes listed above, but not shown on the Environmental Resource Zone Overlay Maps (ERZ Maps), are subject to these regulations.
- E. *Approved Subdivisions.* Where a recorded plat shown on the Environmental Resource Zone Overlay Maps (ERZ Maps) is resubdivided, it must comply with these regulations.
- F. *Annexation.* As annexation occurs, additional resource corridors or extensions of resource corridors may be added to the Environmental Resource Zone Overlay Maps (ERZ Maps).

2.8.6.3 Exceptions. These regulations do not apply to the following.

- A. Any single-family residence or other development existing as of July 3, 1990, or any expansion of up to twenty-five (25) percent of either an existing residence or other development.
- B. Any lot or parcel to be developed with one (1) single-family residence where all development and the residence and any accessory structures are located outside of the critical riparian habitat area.
- C. Any subdivision which was recorded prior to August 3, 1990, as long as:
 - 1. Substantial construction occurs within five (5) years after August 3, 1990, and
 - 2. Construction occurs in accordance with the approved plat.
- D. Where these regulations affect a parcel which is also subject to the Hillside Development Zone (HDZ) regulations, these regulations do not apply as long as there is no encroachment into the one hundred (100) year floodplain.

2.8.6.4 Review and Approval Required. Two (2) options are available for development under these regulations.

- A. *No Encroachment in Floodplain.* Where the owner of a lot or parcel affected by these regulations chooses to leave the one hundred (100) year floodplain undisturbed, the Environmental Resource Zone (ERZ) does not apply except that temporary fencing will be placed between the project site and the floodplain area as provided in Sec. 2.8.6.6.B; where permitted by the floodplain ordinance, development in this floodplain area is allowed as provided in Sec. 2.8.6.6. (*See Illustration 2.8.6.4.A.*) (Ord. No. 9138, §1, 10/5/98)



2.8.6.4 .A No Encroachment in Floodplain (ERZ)

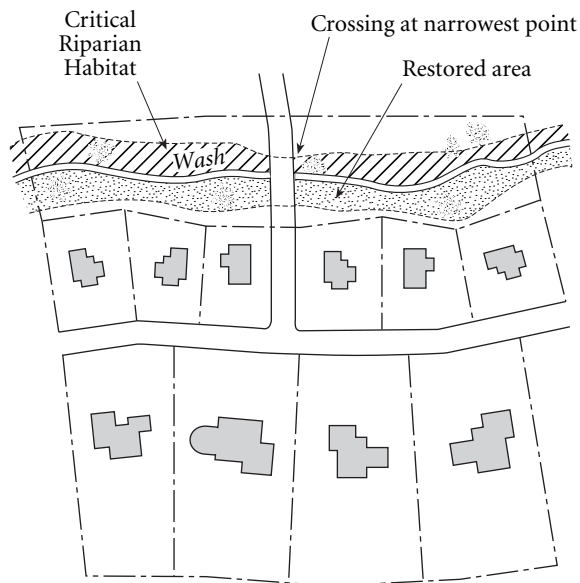
- B. *Study of Resource Corridor.* Where the owner of a lot or parcel affected by these regulations chooses to do a study of the resource corridor, a development submittal containing the following information is provided in accordance with submittal requirements of the *Tucson Code*, Chapter 23A, Sec. 23A-43. (Ord. No. 9392, §1, 5/22/00)

1. Submittal material will include an Environmental Resource Report as established in Development Standard 2-13.0. This Report presents a study of the resource corridor and documents locations of the resource corridor and critical riparian habitat.
2. If preservation of the critical riparian habitat cannot be accomplished as provided in these regulations, the submittal will include a mitigation plan as required in Sec. 2.8.6.5.D.
3. Permits for grubbing, grading, construction, or any other improvements will not be issued until all applicable requirements of Sec. 2.8.6.5 and Sec. 2.8.6.6 are met.

2.8.6.5 Development Regulations.

- A. *Preservation of Critical Riparian Habitat.* Preservation of one hundred (100) percent of critical riparian habitat areas within the resource corridors for parcels shown on the Environmental Resource Zone Overlay Maps (ERZ Maps) is required, except as provided in Sec. 2.8.6.4 and Sec. 2.8.6.6. The critical riparian habitat area may be included as part of any required open space on the site.
- B. *Residential Development.* Residential development of four (4) or more dwelling units is allowed only as provided in Sec. 3.6.1, Residential Cluster Project (RCP), except as provided in Sec. 2.8.6.3.B. Use of the RCP provides for the maximum amount of critical riparian habitat preservation while preserving density options.
- C. *Nonresidential Development.* Nonresidential development is allowed based on underlying zoning.
- D. *Mitigation Plan.* Where preservation of the critical riparian habitat area cannot be accomplished as provided in these regulations, the owner is required to submit a mitigation plan, which will be reviewed in accordance with Chapter 23A, of the *Tucson Code*, Sec. 23A-43, containing the following. (Ord. No. 9392, §1, 5/22/00)
 1. A statement of findings as to why one hundred (100) percent preservation of the critical riparian habitat area cannot be accomplished.
 2. The plan will document the specific impact of the development on existing critical riparian habitat areas within the resource corridor.
 3. The mitigation plan will present the techniques considered to lessen the impacts of the development on the critical riparian habitat areas. The techniques employed by the development project should protect remaining critical riparian habitat and restore critical riparian habitat areas disturbed during construction. This may be done through clustering development away from substantial amounts of critical riparian habitat, enhancement of degraded critical riparian habitat areas through revegetation or restoration, or other means appropriate to the type of project. (*See Illustration 2.8.6.5.D.3.*)

CITY OF TUCSON LAND USE CODE
ARTICLE II. ZONES
DIVISION 8. OVERLAY ZONES
ENVIRONMENTAL RESOURCE ZONE (ERZ)



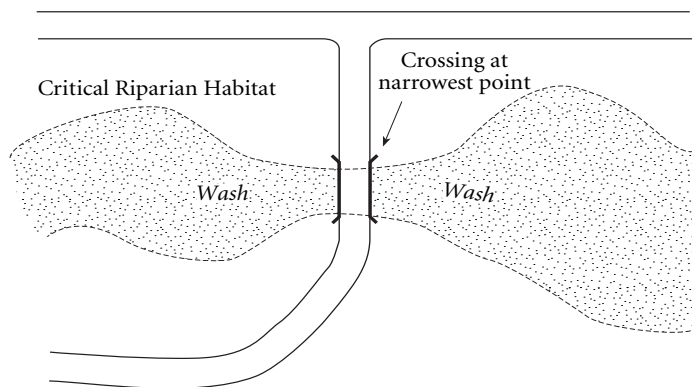
2.8.6.5.D.3 Mitigation Options

4. The plan will provide for one hundred (100) percent restoration of the critical riparian habitat area disturbed during construction as detailed in Sec. 2.8.6.6.A.6, Sec. 2.8.6.6.A.7, and Sec. 2.8.6.6.A.8.
 5. In reviewing the statement of findings and the mitigation plan, such factors as the amount, quality, and predisturbance condition of the critical riparian habitat within the resource corridor; the contiguity of the critical riparian habitat; the presence of any endangered species; the upstream or downstream characteristics of the designated wash; the alternatives to the layout and design of the project; and any other pertinent factors relating to the proposed development or the critical riparian habitat that may be provided by the owner and the reviewing parties will be taken into consideration. (Ord. No. 9138, §1, 10/5/98; Ord. No. 9392, §1, 5/22/00)
- E. *Temporary Fencing Required.* No grubbing, grading, or construction will occur on a project site which includes areas designated to be retained in a natural state, until those designated areas are temporarily fenced.
- F. *Inspection of Fencing.* All temporary fencing will be field inspected before any construction on the site begins. Fencing will be removed only on completion of construction. (Ord. No. 9392, §1, 5/22/00)

2.8.6.6 Standards for Roadway/Utility Encroachment.

- A. *Standards.* The following standards are required as part of the mitigation plan, where applicable. They are also required for any allowed encroachment into critical riparian habitat areas. Encroachment which may be allowed is limited to utilities, roadway improvements, walkways, or bike paths. (Ord. No. 9138, §1, 10/5/98)

1. Roadway, bike path, and walkway improvements and utility encroachments into critical riparian habitat areas will be limited and approved only if there are no other alternatives in the design of the project. Where allowed, roadway, bike path, and walkway improvements and utility encroachments will cross critical riparian habitat areas, not run parallel to the critical riparian habitat.
2. Where roadway, bike path, and walkway improvements are allowed to encroach into critical riparian habitat areas, they are allowed only at the narrowest point of the critical riparian habitat. (See *Illustration 2.8.6.6.A.2.*)



2.8.6.6.A.2 Riparian Crossing

3. All utilities in critical riparian habitat areas will be located underground; utilities will be placed either along roadway, bike path, or walkway improvements or within approved easements.
4. Any roadway, bike path, or walkway improvement which impedes the movement of wildlife must be constructed in such a manner as to provide means for safe and accessible passage. Improvements or encroachments into critical riparian habitat areas should be constructed to minimize disruption of vegetation and critical riparian habitat. Where culverts are used, they should be box culverts a minimum of six (6) feet in height.
5. Where a roadway, walkway, or bike path improvement or utility encroachment occurs within the critical riparian habitat area, revegetation is required for any area disturbed because of such construction.
6. Revegetation should include plant material salvaged from the site.
7. Revegetation should recreate the critical riparian habitat through the planting of trees, shrubs, and seed mix native to the site and be equal to the predisturbance plant density, diversity, and volume on the net site.
8. A maintenance program is required for revegetated/restored or enhanced areas so that plant material is replaced as needed.

- B. *Temporary Fencing Required.* No grubbing, grading, or construction will occur on a project site which includes areas designated to be retained in a natural state until those designated areas are temporarily fenced.
- C. *Inspection of Fencing.* All temporary fencing will be field inspected before any construction on the site begins. Fencing will be removed only on completion of construction. (Ord. No. 9392, §1, 5/22/00)

2.8.6.7 Standards for Fences, Walls, and Exterior Lighting. The following will be reviewed as provided in Sec. 2.8.6.5.

- A. *Fences and Walls.* Neither fences nor walls will be allowed which impede wildlife movement through designated critical riparian habitat areas except for temporary fencing. If barbed wire fencing is used, the bottom and top wire must be barbless; bottom clearance of at least eighteen (18) inches from the ground is required.
- B. *Exterior Lighting.* Lighting sources will be confined to wall-mounted fixtures or standards a maximum of forty-two (42) inches in height, spaced to create pools of light rather than a saturated condition. Neither high-pressure sodium nor mercury vapor lighting will be used. All lighting sources will be shielded to reduce dispersed light.

2.8.6.8 Variances and Appeals.

A. *Variance Requests.*

1. The Development Review Board (DRB) shall review all requests for variances from Environmental Resource Zone (ERZ) regulations as provided in Sec. 5.1.8.3.F and shall forward its recommendations in accordance with Sec. 5.1.8.2.F.
2. If the City Engineer or designee, a notified property owner, or the applicant for the variance requests consideration of stormwater management issues related to the variance, the Stormwater Technical Advisory Committee (STAC) may review the variance request concurrently with the Development Review Board (DRB) and may provide written or oral testimony at the public hearing for the variance request. Any such testimony must address the required findings. (Ord. No. 9392, §1, 5/22/00)

(Ord. No. 9179, §1, 12/14/98)

B. *Appeals of the Decision on the Mitigation Plan.*

1. Appeals of the Development Services Department (DSD) Director's decision on the mitigation plan are reviewed by the Development Review Board (DRB) as provided in Sec. 5.4.4.3.C and in accordance with Sec. 5.1.8.3.E if the DRB did not review the application prior to the DSD Director's Decision. The DRB will forward a recommendation to the Mayor and Council in accordance with Sec. 5.1.8.2.F. (Ord. No. 9392, §1, 5/22/00)
2. The Mayor and Council shall decide appeals in accordance with Sec. 5.4.4.3, Type III Appeal Procedure, based on the record and on any recommendations received from the Development Review Board (DRB).

(Ord. No. 9179, §1, 12/14/98)

- C. *Proposed Land Use Code (LUC) Amendments.* The Stormwater Advisory Committee (SAC) may review all proposed amendments to this Section and may provide written conclusions and recommendations to the Director of the Department of Transportation to be forwarded to the Planning Commission and the Mayor and Council prior to public hearings on the proposed amendments. (Ord. No. 9374, §1, 4/10/00; Ord. No. 9582, §3, 8/6/01)

CITY OF TUCSON LAND USE CODE
ARTICLE II. ZONES
DIVISION 8. OVERLAY ZONES
DOWNTOWN HERITAGE INCENTIVE ZONE

2.8.7 DOWNTOWN HERITAGE INCENTIVE ZONE.

- 2.8.7.1 Review of Demolition Permits Required. No demolition permit shall be issued by the City for all or any part of those certain structures located within the Downtown Heritage Incentive Zone, nor shall any person demolish or cause to be demolished such structures or any part of such structures, except in accordance with the requirements of this Section. Review of demolition requests within the Downtown Heritage Incentive Zone shall be considered in accordance with Sec. 5.4.2.6, Type VI Legislative Procedure.

Exception. The requirements of this Section do not apply if the Development Services Department (DSD) Director determines that the structure for which a demolition permit is submitted is in imminent danger of collapse so as to endanger its occupants, other persons, or neighboring structures and if repairs would be impracticable. In such cases, emergency demolition procedures shall be followed in accordance with Chapter 6, of the *Tucson Code*. (Ord. No. 9392, §1, 5/22/00)

- 2.8.7.2 Structures Listed on, or Eligible for, the National Register of Historic Places or the Arizona Register of Historic Places. Eligibility criteria are established for the National Register of Historic Places by federal historic preservation statutes and for the Arizona Register of Historic Places by the rules and regulations promulgated by the Arizona State Parks Board under Arizona Revised Statutes (ARS), Sec. 41-511.04(A)(9). Applications for demolition permits for structures that are listed on or eligible to be listed on the National Register of Historic Places or the Arizona Register of Historic Places shall be reviewed in accordance with Sec. 5.4.2.6, Type VI Legislative Procedure, and shall also be subject to the following.

- A. *Application.* In addition to a demolition permit application, the applicant for a demolition permit shall submit the following information.
1. A summary of the structure's history.
 2. An economic analysis of the present use of the structure.
 3. Where applicable, an analysis of the feasibility of restoration.
 4. An economic analysis of the structure following restoration.
- B. *Standards of Review.* The following criteria shall be considered in the review of demolition permit applications for structures on, or eligible for, the National Register of Historic Places or the Arizona Register of Historic Places.
1. The structure's individual historic significance.
 2. The structure's relationship to buildings in its immediate vicinity in terms of scale, size, or massing.
 3. Whether the structure yields a reasonable economic return in its present condition.
 4. Whether preservation of the structure is physically and economically feasible and, if preserved, whether the structure would yield a reasonable economic return.
- C. *Decision by the Mayor and Council.* The Mayor and Council shall review the demolition permit application and, after holding a public hearing on the application, render a decision of approval or deferral.

B. *Interior Landscape Border.* The interior landscape border along the north property line shall consist of the area between the property line and the face(s) of the building(s) adjacent to the property line or the projected alignment of the face(s) of the building(s). Canopy trees will be provided at a minimum ratio of one (1) tree for every thirty (30) linear feet of landscape border.

C. *Screening.*

1. Screening along the adjacent street frontages shall consist of the building faces. Where the buildings are not continuous, no additional screening is required.

2. A six (6) foot high wall shall be provided along the northern boundary of the property.

2.8.9.11 *All Other Development Regulations.* Unless specifically provided in this Section, all other development regulations within the Drachman School Overlay (DSO) Zone are subject to standard *Land Use Code (LUC)* requirements.

(Ord. No. 9574, §1, 6/26/01)

CITY OF TUCSON LAND USE CODE
ARTICLE II. ZONES
DIVISION 8. OVERLAY ZONES
RIO NUEVO AND DOWNTOWN (RND) ZONE

2.8.10 RIO NUEVO AND DOWNTOWN (RND) ZONE.

- 2.8.10.1 Purpose. The purpose of this overlay zone is to implement the policies of the City's *General Plan*, with special emphasis on ensuring the cultural, economic, and general welfare of the community. The Rio Nuevo and Downtown (RND) Zone promotes harmonious development within the zone; creates and enhances the Downtown pedestrian environment; and celebrates Tucson's rich historic, cultural, and artistic heritage. The design principles, categories, and criteria referenced in this Section are intended to promote public-private partnerships to support quality development within the Rio Nuevo District, as well as enliven and revitalize the Downtown. Development within the RND zone shall satisfy the design principles set forth in this Section.

Diversity, Design in Context, and Accessibility are the design principles that form the basis for the specific design criteria to be applied to new projects in the Rio Nuevo and Downtown areas.

Diversity is the incorporation of all of the prehistoric, historic, and cultural elements that make up Tucson's urban form and context. This principle forms the basis for the specific design criteria, including building character and materials, which reflect the indigenous influence of the Sonoran Desert region and culture. The intent of this design principle is not to prescribe architectural style, materials, or form but to encourage innovation in contemporary design.

Design in Context is the recognition that Tucson is a unique desert southwestern city. New buildings should also translate into contemporary form the basic principles that contribute to historic structures and other structures in and around the Site Context - Development Zone, as well as addressing the Regional and Community Context.

Accessibility includes three dimensions. The first is physical mobility for pedestrians, including physically disabled pedestrians, bicycles, transit, and private cars, provided by an efficient and pleasant circulation system. The second is visual, retaining physical amenities such as viewsheds, open space, and visual connections to the mountains and the Santa Cruz River. The third is informational and educational, including access to information and ideas.

- 2.8.10.2 Applicability. The Rio Nuevo and Downtown (RND) Zone is an overlay zone as defined in Sec. 6.2.18. The provisions of the RND zone apply to the following uses on all property, including public or private rights-of-way, any portion of which is located within the RND zone. No permit shall be issued by the City except in accordance with the requirements of this Section.

- A. All new structures, including expansions to existing structures. The remainder of a structure that has been expanded is governed by provisions in force at the time of initial approval for the structure.
- B. All improvements or alterations to the exterior of existing structures, if such improvements or alterations are visible from an adjacent public right-of-way.
- C. All sidewalk and street improvements.

- 2.8.10.3 Permitted Uses. The land uses permitted within this zone are those uses permitted by the underlying zoning, except as restricted in Sec. 2.8.10.6.

- 2.8.10.4 Design Review. Applications for projects within the Rio Nuevo and Downtown (RND) Zone shall be reviewed in accordance with Chapter 23A, of the *Tucson Code*, Sec. 23A-50. The application must include a Design Context and Compatibility Report (DCCR). (See Development Standard 9-05.2.0 for content requirements for the report.)

2.8.10.5 Design Criteria. Development within the Rio Nuevo and Downtown (RND) Zone shall meet the design principles set forth in Sec. 2.8.10.1 by complying with the following Design Criteria (see Development Standards 9-05.0, 2-02.0, 2-03.0, and 2-05.0).

- A. The proposed buildings should respect the scale of those buildings located in the development zone and serve as an orderly transition to a different scale. Building heights with a vastly different scale than those on adjacent properties should have a transition in scale to reduce and mitigate potential impacts. In areas undergoing change, long-range plans should be consulted for guidance as to appropriate heights.
- B. All new construction shall maintain the prevailing setback existing within its development zone.
- C. All new construction shall provide scale-defining architectural elements or details at the first two floor levels, such as windows, spandrels, awnings, porticos, cornices, pilasters, columns, and balconies.
- D. Every commercial building frontage shall provide windows, window displays, or visible activity within and adjacent to the building at the ground floor level, with a minimum of fifty (50) percent of the building frontage providing such features.
- E. A single plane of a façade at the street level may not be longer than fifty (50) feet without architectural relief or articulation.
- F. Building façade design shall include pedestrian-scaled, down-shielded, and glare-controlled exterior building and window lighting.
- G. The front doors of all commercial and government buildings shall be visible from the street and visually highlighted by graphics, lighting, marquees, or canopies.
- H. Modifications to the exterior of historic buildings shall complement the overall historic context of the Downtown and respect the architectural integrity of the historic façade.
- I. Buildings shall be designed to shield adjacent buildings and public rights-of-way from reflected heat and glare.
- J. Safe and adequate vehicular parking areas designed to minimize conflicts with pedestrians and bicycles shall be provided.
- K. Adequate shade shall be provided for sidewalks and pedestrian pathways, using shade structures or vegetation, where permitted by the City of Tucson.

2.8.10.6 General Restrictions. The following restrictions apply to all uses and development in this zone.

- A. New drive-in or drive-through facilities are not permitted, except for freeway-oriented businesses, or as approved through the development review process.
- B. For structures on or eligible for designation on the National Register, uses shall be accommodated without altering the historic character-defining features of the structure. (See Development Standard 9-03.0 for a list of all such structures within the Rio Nuevo and Downtown [RND] Zone.)

(Ord. No. 9780, §3, 10/14/02)

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DIVISION 9. OPEN SPACE (OS) ZONE

SECTIONS:

2.9.1 OPEN SPACE (OS) ZONE

2.9.1 OPEN SPACE (OS) ZONE.

2.9.1.1 Purpose. The purpose of the Open Space (OS) zone is to designate both public and private open space resources, in order to:

- Preserve significant natural resources and open spaces, such as areas of undisturbed native vegetation, major rock outcrops, major ridges and peaks, riparian habitats, and valuable vegetated wash segments.
- Promote restoration of open space to provide visual, recreational, and habitat amenities.
- Preserve vestiges of the natural desert landscape and provide opportunities for hiking, horseback riding, bicycling, and more passive recreation in a natural setting.
- Contribute to the preservation of wildlife habitat, especially interconnected areas which foster the free movement of wildlife, within the city.
- Promote a continued economic benefit to the region by protecting open space areas for the visual and recreational enjoyment of residents and visitors alike.
- Provide a mechanism for recognizing and protecting public and private lands that have been designated for preservation by the property owner.

2.9.1.2 Applicability. The Open Space (OS) zone may be applied to both public and private lands that warrant protection as open space. The OS zone may be applied to land only with the express written consent of the property owner(s). (Ord. No. 9374, §1, 4/10/00)

- A. *Dedications and Donations.* The Open Space (OS) zone may be applied by the City to land that is preserved by acquisition, an easement, or dedication, and/or donation to the City or other entity, for the purpose of keeping the land as permanent natural open space.
- B. *Fee Waiver.* Fees for a rezoning application to the Open Space (OS) zone are waived. (Ord. No. 9374, §1, 4/10/00)

2.9.1.3 Permitted Land Uses. The following Land Use Classes are principal Permitted Land Uses within this zone, subject to compliance with the development and compatibility criteria listed for the Development Designator indicated and to any additional conditions listed for each use. The number or letter in quotation marks following the Land Use Class refers to the Development Designator provisions of Sec. 3.2.3.

- A. Recreation Use Group, Sec. 6.3.7

- 1. Open Space "4"

2.9.1.4 General Restrictions. The following restrictions apply to all land uses and development in this zone.

-
- A. Unpaved or paved trails or paths are permitted for use only by pedestrians, nonmotorized bicycles, and horses. Limited access is permitted for maintenance vehicles only. Use by all-terrain vehicles is prohibited.
 - B. Picnic areas, sitting areas, equestrian trail nodes, scenic lookouts, shade structures, and rest rooms are permitted, subject to minimal disturbance of the natural open space. Grills in the picnic areas and overnight camping are not allowed, unless located in an area that fire vehicles can access without impact on the natural open space.
 - C. Access driveways and parking areas are permitted in conjunction with uses in Sec. 2.9.1.5.A and .B, subject to minimal disturbance of the natural open space.
 - D. Drainageway facilities and utility easements must be revegetated to be consistent with the surrounding natural vegetation.
 - E. All new utilities must be underground.

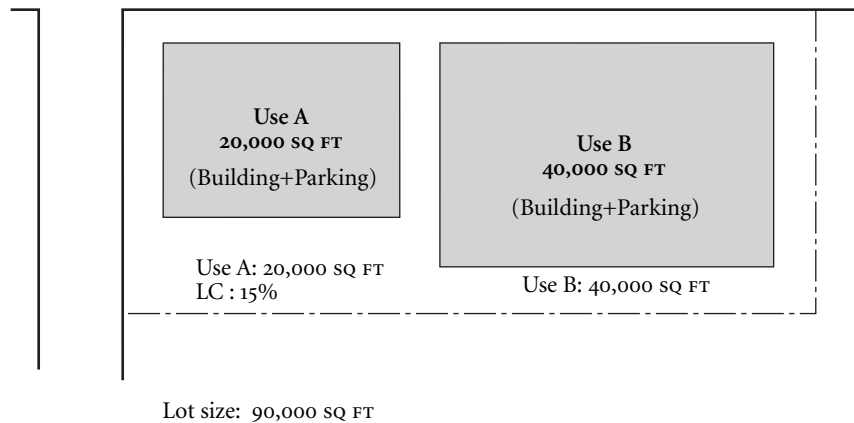
2.9.1.5 Open Space Requirements.

- A. The disturbed area shall be clearly identified and the balance of the property protected during construction. All impervious surfaces, buildings, utility or drainage corridors, and structures shall be contained within the disturbed area identified on the approved site plan.
- B. Whenever a portion of the property is disturbed by the construction of a permitted use or has been cleared of vegetation, the disturbed area shall be revegetated in conformance with an approved revegetation plan, using plants native to the site and the immediately surrounding area. Revegetation shall be at a similar density to the natural surroundings.
- C. The minimum width of property zoned OS shall be forty (40) feet, and the minimum contiguous area for OS is four thousand (4,000) square feet, unless the OS property connects to another perpetual, dedicated open space or trails resource.

(Ord. No. 9102, §1, 8/3/98)

Example 2. To determine which LC requirement to apply if one (1) of the uses has an LC requirement of fifteen (15) percent and another requires eighty (80) percent, and the use with the fifteen (15) percent LC needs or uses twenty thousand (20,000) sq. ft. of a ninety thousand (90,000) sq. ft. site, one needs to determine if the twenty thousand (20,000) sq. ft. is fifteen (15) percent or more of the ninety thousand (90,000) sq. ft. site. This is determined by dividing the twenty thousand (20,000) sq. ft. by the ninety thousand (90,000) sq. ft. ($20,000 \div 90,000 = .22$). Since the percentage, twenty-two (22), is less than twenty-five (25) percent, the least restrictive of the LC requirements applies to the entire site. (See *Illustration 3.2.2.2.B. Example 2.*)

EXAMPLE 2: Different Lot Coverage Limits



3.2.2.2.B Two or More Uses, Different Development Designators

3.2.3 PRINCIPAL STRUCTURE. The structure(s) in which the principal use(s) is conducted shall be constructed in compliance with the development regulations listed for the Development Designator assigned to the principal use(s). The Development Designator is shown as a letter symbol for residential development and a number symbol for nonresidential development.

3.2.3.1 Residential Development Designator.

- A. *Suburban Density Matrix.* Development criteria in this matrix are used for rural and suburban residential zones. The criteria provide for residential densities that are between the large lot, rural ranch development and the small lot, urban, residential development.

| Development Designator | Lot Size ¹ | Units Per Lot ² | Building Height ³ | Perimeter Yard ⁴ |
|------------------------|-----------------------|----------------------------|------------------------------|-----------------------------|
| A | 36 acres | 1 | 30' | CC |
| B | 180,000 | 1 | 30' | CC |
| C | 144,000 | 1 | 30' | BB |
| D | 36,000 | 1 | 30' | BB |
| E | 36,000 | 2 | 30' | BB |
| F | 16,000 | 1 | 25' | BB |

¹Minimum lot size listed in square feet unless otherwise stated.

²Density. For calculation, refer to Sec. 3.2.10.

³Maximum. For measurement and exceptions, refer to Sec. 3.2.7.

⁴For applicability, refer to Sec. 3.2.6.

- B. *Low-Density Matrix.* Development criteria in this matrix are used for low-density urban zones. The criteria are primarily for the single parcel, detached, single-family dwelling.

| Development Designator | Lot Size ¹ | Lot Coverage ² | Units Per Lot ³ | Building Height ⁴ | Perimeter Yard ⁵ |
|------------------------|-----------------------|---------------------------|----------------------------|------------------------------|-----------------------------|
| G | 7,000 | 70% | 1 | 25' | AA |
| H | 10,000 | 70% | 2 | 25' | AA |
| I | 5,000 | 70% | 1 | 25' | AA |

¹Minimum lot size listed in square feet.

²Maximum. For calculation, refer to Sec. 3.2.9.

³Density. For calculation, refer to Sec. 3.2.10.

⁴Maximum. For measurement and exceptions, refer to Sec. 3.2.7.

⁵For applicability, refer to Sec. 3.2.6.

- C. *Medium-Density Matrix.* Development criteria in this matrix provide for single parcel, single-family, attached or detached dwellings and establish lower density ranges for multiple-family structures.

| Development Designator | Site Area ¹ | Lot Coverage ² | Density ³ | Building Height ⁴ | Perimeter Yard ⁵ |
|------------------------|------------------------|---------------------------|----------------------|------------------------------|-----------------------------|
| J | 2,500 | 90% | 17 | 40' | DD |
| K | 5,000 | 75% | 15 | 25' | BB |
| L | 5,000 | 75% | 22 | 25' | BB |
| M | 7,000 | 70% | 8 | 16' | BB |
| N | 5,000 | 70% | 8 | 25' | BB |

¹Minimum site area listed in square feet.

²Maximum. For calculation, refer to Sec. 3.2.9.

³For calculation, refer to Sec. 3.2.10.

⁴Maximum. For measurement and exceptions, refer to Sec. 3.2.7.

⁵For applicability, refer to Sec. 3.2.6.

(Ord. No. 9780, §4, 10/14/02)

3. When the setback is measured from the nearest edge of sidewalk, back of sidewalk, or future sidewalk, and there is no existing or proposed sidewalk, the nearest edge of the pedestrian and utility area adjacent to the street's roadway is used as the point of measurement for the setback. The location and width requirements for pedestrian and utility areas are found in Development Standard No. 3-01.0, Street Development Standard.
4. Developing area setbacks shall not be less than the minimum width of the landscaping requirements of Sec. 3.7.2.4.

3.2.6.6 Exceptions to Perimeter Yards. Encroachment into the required perimeter yard is allowed as provided below.

- A. Along interior property lines, the following may extend two (2) feet into the required width, provided the yard is not reduced to less than three (3) feet.
 1. Chimney.
 2. Roof overhang.
 3. Bay windows.
- B. Along street property lines, as provided below.
 1. Within established areas, the following may extend two (2) feet into the required perimeter yard.
 - a. Chimney.
 - b. Roof overhang.
 - c. Stairs.
 - d. Bay windows.
 - e. Open structures.
 2. On any corner lot, no fence, structure, object, or planting shall be erected or maintained so as to interfere with the sight visibility triangle provisions of Development Standard 3-01.0.
- C. Structures within perimeter yards.
 1. Architectural features which are part of a solar energy system may project up to four (4) feet into required front perimeter yards. Such architectural features include, but are not limited to, overhangs, moveable insulating walls and roofs, detached solar collectors, reflectors, and piping.
 2. A wall or fence not over six (6) feet high may be erected within the limits of a perimeter yard.

3.2.7 STRUCTURE HEIGHT MEASUREMENT.

3.2.7.1 Purpose. The purpose of this Section is to establish a uniform and consistent method for measuring structure heights, which allows for changes in topography and for architectural diversity.

3.2.7.2 Measurement.

- A. *Buildings.* The vertical distance of a building is measured from design grade elevation, at any individual point within the building footprint, to the highest point of a flat roof; to the deck line of a mansard roof; or to the middle (between the eave and ridge) of the highest gable of a pitched or hipped roof, except as follows. (*See Illustration 3.2.7.2.*)
1. *Historic Preservation Zone (HPZ).* Building height is the vertical distance measured between the highest part of a structure and the finished grade at the midpoint of the front facade of the principal structure, excluding chimneys, mechanical equipment, and other miscellaneous additions.
 2. *Airport Environs Zone (AEZ).* Measurement of height for buildings as provided in Sec. 3.2.7 shall apply, except where the height may exceed the maximum height requirements of Sec. 2.8.5.7, Airport Hazard Districts, in which case Sec. 2.8.5.7 prevails.
 3. *Scenic Corridor Zone (SCZ).* The vertical distance of a building is measured from design grade, at all points within the building footprint, to the highest point on a roof. Any wall extending above the roof, such as a parapet wall or a fire wall, shall be considered part of the roof for purposes of measuring height.
 4. *Hillside Development Zone (HDZ).* See height measurement requirements in Sec. 2.8.1.8.A. (Ord. No. 9138, §1, 10/5/98)
- (Ord. No. 9781, §2, 10/28/02)
- B. *All Other Structures.* The vertical distance of all structures, other than buildings, will be measured from design grade at the base of the structure at all points along that structure to the top of the structure. For structures within six (6) feet of a property line, the design grade used for measuring height is the lower of the two (2) grades on each side of that property line.
1. *Airport Environs Zone (AEZ).* Measurement of height for structures and trees as provided in Sec. 3.2.7 shall apply, except where the height may exceed the maximum height requirements of Sec. 2.8.5.7, Airport Hazard Districts, in which case Sec. 2.8.5.7 prevails.

2. One (1) space for each two hundred fifty (250) square feet of GFA of the entire mall, subject to all of the following requirements.
 - a. An approved development plan for the parking and vehicle circulation and ingress/egress areas of the mall which meets current Zoning Code and Development Standard requirements for parking, landscaping, and Major Streets and Routes (MS&R) setback requirements.
 - b. No vehicular access from internal neighborhood streets.
 - c. Bicycle parking spaces at three (3) percent of the provided number of motor vehicle parking spaces, up to a maximum of one hundred fifty (150) bicycle parking spaces. Of the total number of bicycle spaces provided, twenty-five (25) percent must be Class 1, and seventy-five (75) percent must be Class 2.
- C. *Existing or New Regional Malls.* Any regional mall may calculate the required number of motor vehicle spaces using a ratio of one (1) space for each three hundred (300) square feet of gross floor area of the entire regional mall, if the following requirements are met.
 1. All parking, landscaping, circulation, and ingress and egress areas of the mall meet all current Zoning Code and Development Standard requirements.
 2. The regional mall provides alternative transportation amenities which, at a minimum, include one (1) on-site shaded public transit facility within four hundred (400) feet or less of a mall entrance.
 3. The on-site public transit facility is connected to a mall entrance with a shaded sidewalk.
 4. All free-standing commercial pads associated with the regional mall are connected to mall entrances by shaded sidewalks along a direct route.
 5. At least one (1) shaded sidewalk is provided between every street serving the project and a mall building entrance.
 6. No vehicular access from internal neighborhood streets.
 7. Bicycle Spaces. Four (4) percent of the total number of motor vehicle parking spaces provided, up to a maximum of one hundred fifty (150) bicycle parking spaces. Of the total number of required bicycle spaces, twenty-five (25) percent must be Class 1, and seventy-five (75) percent must be Class 2.
 8. A mixed use component with a peak parking requirement different from retail, such as:
 - a. A multiscreen theater with seating capacity of at least four hundred (400);
 - b. More than one (1) full-service, sit-down restaurant with seating capacity in excess of two hundred (200) and with provisions for operation outside normal mall hours; or
 - c. Other uses with demonstrable peak parking requirements different from retail.

3.3.6 EXCEPTIONS.

- 3.3.6.1 Downtown Redevelopment District. Within the Downtown Redevelopment District, the following off-street motor vehicle and bicycle parking regulations apply.

- A. *Office Use.* Required off-street motor vehicle parking for office use is as follows.
1. For buildings with less than five hundred thousand (500,000) square feet, one (1) space for every four hundred (400) square feet of gross floor area.
 2. For buildings with five hundred thousand (500,000) square feet or more, one (1) space for every five hundred (500) square feet of gross floor area.
- B. *Uses Other Than Offices.* Required off-street motor vehicle parking for all uses other than office uses in the Downtown Redevelopment District is one (1) space per three hundred (300) square feet of gross floor area.
- C. *Residential.* Required off-street motor vehicle parking for residential uses in the Downtown Redevelopment District is one (1) space for each dwelling, one (1) space for each apartment where rent/lease of space is not by the bedroom, or one (1) space for each bedroom in projects where rent/lease of space is by the bedroom. (Ord. No. 9780, §5, 10/14/02)
- D. *Bicycle Parking.* Required bicycle parking shall be provided as set forth in Sec. 3.3.6.2.
- E. *New Land Use in an Existing Building.* No additional motor vehicle or bicycle parking spaces are required for a new land use which does not expand the existing structure.
- F. *Expansions of Existing Development.*
1. No additional motor vehicle or bicycle parking spaces are required for the following.
 - a. Expansions that do not involve construction of new structures or the elimination of existing required parking spaces.
 - b. Expansions that involve construction of new structures of less than one thousand (1,000) square feet of gross floor area or less than twenty-five (25) percent of the existing gross floor area, whichever is less.
 2. Expansions that involve construction of a new structure(s) of one thousand (1,000) square feet or more of gross floor area or twenty-five (25) percent or more of the gross floor area of the existing structure must provide motor vehicle and bicycle parking spaces only for the area of expansion.
 3. Expansions that involve the removal of existing required motor vehicle or bicycle parking spaces must relocate the removed spaces either on site or in conformance with the provisions of this Division.
- G. *Public Area Amenity Incentive.* Required off-street motor vehicle parking spaces for a use may be reduced by a percentage equal to twice the ratio of open space to GFA up to a maximum of eight (8) percent, if an interior public open space is provided. The interior public open space may be a roofed atrium, courtyard, plaza, galleria, or similar area. To qualify for a public area amenity reduction in required parking, all of the following criteria must be met.
1. The space is designed to encourage pedestrian activity and public use.
 2. The space is not, in whole or in part, designated as tenant area.
 3. Not more than fifteen (15) percent of the total area of the space is allocated toward corridor space.

4. The space is a minimum of thirty (30) feet wide in any horizontal direction, with a floor-to-ceiling height of at least twenty (20) feet.
 5. The space is visible and physically accessible directly from a public right-of-way or public open space and is located no more than one (1) floor level above or below grade.
 6. A minimum of one (1) linear foot of seating is provided for every thirty (30) square feet of interior public open space.
 7. A natural lighting source, either direct or indirect, such as skylights or clerestory windows, is provided for the space.
- H. *In/Lieu Fee.* The off-street parking requirements established by this Section (Sec. 3.3.6.1) may be satisfied in whole or in part by paying the City parking in-lieu fee in an amount established by separate ordinance to be used by the City for the construction of one (1) or more Downtown public parking facilities. (Ord. No. 9780, §5, 10/14/02)
- I. *New Parking Facilities.* All new parking facilities shall be designed so that vehicles are not visible from the adjoining street level, through incorporation of design elements such as pedestrian arcades, occupied space, or display space. (Ord. No. 9780, §5, 10/14/02)

(Ord. No. 9780, §5, 10/14/02)

3.3.6.2 Bicycle Parking Requirements in Designated Districts. In the Downtown Redevelopment District and the Fourth Avenue Business District, required bicycle parking spaces may be provided either:

- A. On site; or
- B. Within the same or another block and within fifteen hundred (1,500) feet of the use; or (Ord. No. 9392, §1, 5/22/00)
- C. Within the right-of-way and within fifteen hundred (1,500) feet of the use, if approved by the City Engineer or designee. (Ord. No. 9392, §1, 5/22/00)

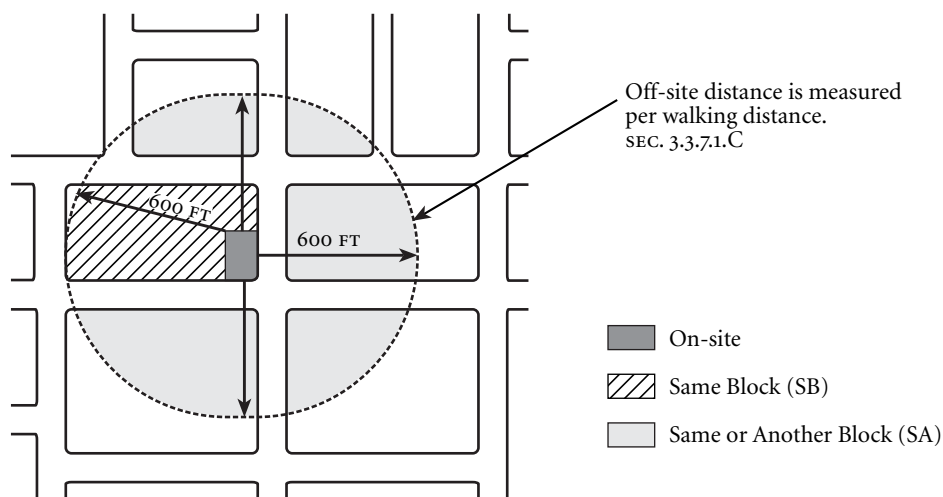
3.3.6.3 Diversion of Required Parking.

- A. *Temporary Diversion.* Motor vehicle parking spaces within a vehicular use area may be used temporarily for storage or display of boats, cars, recreational vehicles, semitruck trailers, furniture, or items of any other nature, subject to all of the following conditions.
 1. The vehicular use area contains more than nine (9) spaces for motor vehicle parking.
 2. If the vehicular use area contains fewer than two hundred fifty (250) spaces, no more than ten (10) percent of the total number of vehicle parking spaces are diverted to another use.
 3. The maximum period of diversion is fifteen (15) days. Additional fifteen (15) day extensions up to a maximum of sixty (60) days per year may be granted for reasonable cause upon written request from the applicant. (Ord. No. 9392, §1, 5/22/00)
 4. Spaces are not diverted to another use more than once in any calendar month.
 5. The spaces diverted are not designated or designed for use by the physically disabled.
 6. The diversion is not for the purpose of dismantling or repairing vehicles.

- B. *Diversion Other Than Temporary.* Code required parking spaces for any land use shall not be sold, leased, or otherwise diverted to another use until off-street parking provisions are secured and provided on another site satisfying all provisions of this Division. Approval is required for any proposed diversion of the vehicular use area. (Ord. No. 9392, §1, 5/22/00)
- C. *Exception.* Any park-and-ride lot set aside to facilitate the use of the mass transit system may use up to a maximum of five (5) percent of the required vehicular use area.

3.3.7 DESIGN CRITERIA. All vehicular use areas shall comply with Table 3.3.7-I, Motor Vehicle Area Dimensions, and Development Standard No. 3-05.0.

- 3.3.7.1 Location. Required Number of Motor Vehicle and Bicycle Parking Spaces, Sec. 3.3.4, lists Same Block (SB) and Same or Another Block (SA) as part of the parking requirements for each land use. These designations denote location requirements as follows. (See Illustration 3.3.7.1.)



3.3.7.1 Location of Required Vehicle and Bicycle Parking Spaces

- A. Same Block (SB) means the required parking is to be located on site or in the same block and within six hundred (600) feet of the land use it serves.
- B. Same or Another Block (SA) means the required parking may be located on site, in the same block, or in another block but within six hundred (600) feet of the land use it serves.
- C. The distance between required parking and the use it serves is the walking distance measured along the pedestrian access system from closest points between the building or use and the vehicular use area.
- D. When required parking is separated from the principal use by an arterial or collector street, one (1) of the following is required.
1. The vehicular use area must be connected by a pedestrian overpass or tunnel.

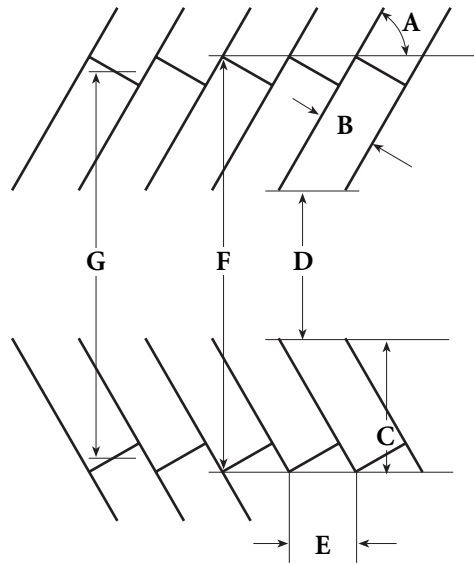
2. There must be a signalized crossing to connect the vehicular use area and the principal use.

E. Exceptions.

1. *Downtown Redevelopment District.* Land uses within the Downtown Redevelopment District may locate their required parking within fifteen hundred (1,500) feet of the land use, provided the parking is within the District boundaries.
2. *Historic Districts.* Land uses within a historic district may follow the location requirements of Same or Another Block (SA), unless requirements are established specific to that historic district.
3. *On-Street Parking.* For single-family dwellings, mobile home dwellings, and Residential Care Services with ten (10) or fewer residents, on-street parking spaces may be counted on a space-for-space basis toward the total required amount of parking up to fifty (50) percent. On-street parking is allowed for these Land Use Classes only if such parking is located on the same side of the street as the use and does not extend beyond the street frontage of the subject property. (Ord. No. 9364, §1, 3/27/00)

3.3.7.2 Motor Vehicle Parking Space Dimensions.

- A. *Standard Parking Space Size.* All motor vehicle off-street parking spaces, with the exception of those listed in Sec. 3.3.7.2.B and Sec. 3.3.7.2.C, shall have a minimum width of eight and one-half (8½) feet and a length of eighteen (18) feet, excluding the area necessary for access drives and aisles. All parking area access lanes (PAALs) shall have a minimum width as specified in Table 3.3.7-I, with the exception of those listed in Sec. 3.3.7.2.C. All parking spaces and necessary access drives and aisle areas shall be provided off street. Table 3.3.7-I lists the minimum dimensions. (*See Illustration 3.3.7.2.*) (Ord. No. 9517, §3, 2/12/01)
- B. *Parking Space Size for the Physically Disabled.* The standard parking space for the physically disabled shall be provided as required by the Uniform Building Code, as amended.
- C. *Exceptions.*
 1. *Compact-Sized Parking Spaces.* Motor vehicle parking spaces sized for compact vehicles are allowed only within the Downtown Redevelopment District. The number of compact-sized parking spaces may not exceed thirty-five (35) percent of the total number of parking spaces provided. Spaces required to serve hotels, motels, and residential units shall not be compact sized. In mixed use projects, the parking spaces required to serve hotels, motels, or residential units may not be used in calculating the number of permitted compact-sized spaces.
 2. *Commercial Vehicular Use Areas.* The striping and stall size requirements of this Division do not apply to commercial vehicular use areas within the Downtown Redevelopment District, except when parking spaces are leased or otherwise set aside to satisfy the off-street parking space requirements for other land uses.
 3. *Motor Vehicle Display or Storage Areas.* The striping requirements of Development Standard No. 3-05.0 do not apply to vehicular use areas that are used to display or store motor vehicles.
 4. *Parking Area Access Lanes (PAALs) in Storage Use Group Development.* A one-way parking area access lane (PAAL) within a development for storage must be a minimum of twenty (20) feet in width, with a minimum four (4) foot wide pedestrian refuge area delineated on one (1) side of the PAAL. A two-way PAAL within a development for storage must be a minimum of thirty (30) feet in width, with a minimum four (4) foot wide pedestrian refuge area delineated on one (1) side of the PAAL. (Ord. No. 9517, §3, 2/12/01)



- A Parking angle
- B Space width
- C Space depth
- D Aisle width
- E Curb length
- F Space end to space end bay width
- G Space center to space center width

Minimum standard parking space size: 8.5 FT X 18 FT
 Minimum two-way traffic aisle width: 24 FT
 Minimum one-way traffic aisle width: 12 FT
 Minimum one-way fire lane access aisle width: 20 FT

3.3.7.2 Motor Vehicle Parking Space Dimensions

(To be used in conjunction with Table 3.3.7-1)

- O. *Communications Land Use, Development Review.* The Development Review Board (DRB) reviews, for recommendation when requested by the Mayor and Council, Communications land uses in all zones which require approval as a Special Exception Land Use through a Type III Legislative Procedure, Sec. 5.4.2.3, as provided in Sec. 3.5.4.20.G.
- P. *Home Occupation: Travelers' Accommodation, Lodging, Development Review.* The Development Review Board (DRB) reviews all Home Occupation: Travelers' Accommodation, Lodging, land uses in the various zones in which the use is permitted, as provided in Sec. 3.5.7.4.F.
- Q. *Historic Preservation Zone (HPZ), Appeals.* The Development Review Board (DRB) reviews, for recommendation, as provided in Sec. 5.4.4.6.C, Type VI Appeal Procedure, any appeal of a Planning Director decision which was made in compliance with the procedural requirements of a Type X Administrative Procedure, Sec. 5.4.3.10. The DRB recommendation shall be based on the purpose of the HPZ and the specific criteria for development listed in Sec. 2.8.8.6.
- R. *Rio Nuevo and Downtown (RND) Zone, Development Review.* The Development Review Board (DRB) reviews, for recommendation, all proposed development in the Rio Nuevo and Downtown (RND) Zone, as provided in Sec. 2.8.10.4 and in accordance with procedures set forth in Chapter 23A, of the *Tucson Code*, Sec. 23A-50. In formulating its recommendation, the DRB shall utilize the design criteria found in Sec. 2.8.10.5 and Development Standard 9-05.0. (Ord. No. 9780, §6, 10/14/02)
- S. *Other Responsibilities.* The Development Review Board (DRB) shall perform such other functions as may be required by the *Land Use Code (LUC)*.

(Ord. No. 9179, §1, 12/14/98; Ord. No. 9780, §6, 10/14/02)

5.1.9 TUCSON-PIMA COUNTY HISTORICAL COMMISSION. The Tucson-Pima County Historical Commission is established to advise the Mayor and Council, the City Planning Director, the Board of Supervisors, and the applicable county officials on issues concerning historic sites, historic structures, and new construction and demolition within historic districts or Historic Landmarks within the community.

5.1.9.1 Establishment. The Tucson-Pima County Historical Commission is established and constituted as provided in Chapter 10A, Boards and Commissions, of the *Tucson Code*.

5.1.9.2 Administrative Functions. The Tucson-Pima County Historical Commission's administrative functions are as provided in Chapter 10A, Boards and Commissions, of the *Tucson Code*.

5.1.9.3 Powers and Duties within the Land Use Code (LUC). In addition to the powers and duties provided in Chapter 10A, Boards and Commissions, of the *Tucson Code*, the Tucson-Pima County Historical Commission shall be responsible for the following.

- A. *Establishment of a Historic District or Historic Landmark.* The Tucson-Pima County Historical Commission shall review all requests to establish a historic district or Historic Landmark in accordance with Sec. 2.8.8.9.
- B. *Amendments to an Existing Historic District or Historic Landmark.* The Tucson-Pima County Historical Commission shall review any request to amend an existing historic district or Historic Landmark in accordance with Sec. 2.8.8.9.
- C. *Development Review.* The Tucson-Pima County Historical Commission shall review any development proposal within a historic district for compliance with design and construction requirements and standards in accordance with Sec. 2.8.8.6. The responsibility for such review may be delegated to a Tucson-Pima County Historical Commission subcommittee.
- D. *Demolition Review.* The Tucson-Pima County Historical Commission shall review all proposals to demolish any structure within a historic district or a Historic Landmark.

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- 5.1.10 HISTORIC DISTRICT ADVISORY BOARDS.** For each historic district proposed or established, a historic district advisory board (advisory board) is appointed to assist the Mayor and Council and the Planning Department in evaluating establishment of, or amendment to, a historic district and in evaluating proposed development within an adopted historic district.
- 5.1.10.1 Composition. Each historic district advisory board consists of at least six (6), but not more than fifteen (15), members. Members may be either voting or non-voting advisory members.
- A. *Appointment.* Members of each advisory board are appointed by the Mayor and Council.
 - B. *Qualifications.* For each advisory board, approximately one-third (1/3) of the voting members must be residents within the historic district; approximately one-third (1/3) of the voting members must be property owners within the historic district; and approximately one-third (1/3) of the voting members must have special qualifications in such areas as archaeology, architecture, architectural history, local history, historic preservation law, landscape architecture, planning, construction, or other related field. The application information for all prospective members must be accompanied by a statement of interest, including the category in which they would serve. The information for members having special qualifications shall also reference the individuals' educational and professional experience. The Planning Director, the Historic Program Administrator, and a member of the Tucson-Pima County Historical Commission shall review the information for applicants in the special qualifications category and make recommendations prior to the nomination being forwarded to the Mayor and Council for consideration. Members serve without compensation. (Reso. No. 17915, §1, 1/12/98)
 - C. *Terms.* The term of each member of an advisory board is for a maximum of four (4) years, expiring on December 31 of the fourth year. Terms may be staggered to assure continuity. Members are eligible for reappointment. (Reso. No. 17915, §1, 1/12/98)
 - D. *Removal.* A member of an advisory board may be removed by a two-thirds (2/3) vote of the Mayor and Council.
- 5.1.10.2 Administrative Functions. Each advisory board is responsible for the following administrative functions.
- A. *Election of Officers.* Each advisory board elects a Chair and Vice Chair from among its members. The terms of the Chair and Vice Chair are one (1) year.
 - B. *Meetings.* Each advisory board holds as many regular meetings as necessary to conduct its business in a timely manner. All meetings shall be open to the public.
 - C. *Quorum and Voting.* A majority of the voting members constitutes a quorum of an advisory board. The concurring vote of the majority of members present and voting is necessary to make any recommendation to the Planning Director or to the Mayor and Council. If a concurring vote cannot be attained within the specified time allotted by the review procedure, the matter will be forwarded without recommendation.
 - D. *Records.* Each advisory board will keep a public record of its actions, findings, and recommendations.
 - E. *Rules of Procedure.* Each advisory board may adopt rules of procedure necessary to carry out its functions. Copies of such rules will be filed with the City Clerk and made available to the public through the Planning Department.
 - F. *Training.* Advisory Boards shall schedule not less than one (1) meeting per year for the purposes of training related to their design review responsibilities. The training shall be coordinated with the City's Historic Program Administrator. (Reso. No. 17915, §2, 1/12/98)

6.2.4 DEFINITIONS - D.

Damaged. Plant materials, previously rated Viable, which have little chance of survival in a healthy and attractive manner after injury sustained during salvage, transplanting, or construction operations. (Ord. No. 8845, §2, 3/24/97)

Dance Hall. An Entertainment use which encompasses eighteen thousand (18,000) square feet or more of total area, including gross floor area and any outside areas providing service to the public, such as outdoor seating and recreation areas, that has a dance floor(s) that is over twenty-five (25) percent of the area.

Day Care. See Sec. 6.3.5.10.

Days. Days of the week, including Saturdays, Sundays, and holidays. To apply days to a review schedule, the day of the event or act from which the designated period of time begins is not included. The last day of the designated period is included, unless it is a Saturday, Sunday, or holiday, in which event the period runs to the end of the next day that is not a Saturday, Sunday, or holiday. When a designated period of time is less than ten (10) days, intermediate Saturdays, Sundays, and holidays are not included. Holidays are those recognized by the City of Tucson.

DD. Same as Development Designator. See Sec. 2.1.8.

Dedicate. The act of giving a gift or donation to another person or entity.

Dedicated. The act of giving a gift or donation to another person or entity and that such gift or donation has been accepted.

Density. Generally, density means the number of residential units per acre. As applied in the Residential Cluster Project (RCP) provisions, density means the number of dwelling units that may be constructed per acre of developable area within a site. For information on calculation of density, with the exception of RCPs, refer to Sec. 3.2.10. For RCP density calculations, refer to Sec. 3.6.1.

Design Grade. The minimum modification of natural or existing grade that allows safe and appropriate access, drainage, and buildable areas.

Detached Single-Family Dwelling. See Single-Family Dwelling, Detached, Sec. 6.2.19.

Developable Area. The land area of a site controlled by a single landowner or entity at the time of issuance of building permits or, if subdividing the property, subdivision application, including those areas which are dedicated as natural areas within a Hillside Development Zone (HDZ) area, but exclusive of any floodway property as described in Chapter 26, Division 1, Floodplain and Erosion Hazard Area Regulations, of the Tucson Code. Those areas within a floodway are included in the developable area where the City Engineer has approved construction of a principal building or of an accessory or incidental structure.

Developing Area. An area where less than fifty (50) percent of the linear street frontage of all property, excluding alleys and drainageways, located on the same side of the street and within the same block as the proposed development is occupied by principal structures that conform to the minimum front street perimeter setback required for the applicable zoning classification or street frontage. (Ord. No. 9517, §5, 2/12/01)

Developing Area Setback. A term used to describe the required building setback from a street applicable where a developing area exists. (Ord. No. 9517, §5, 2/12/01)

Development. Any human alteration to the state of land, including its vegetation, soil, geology, or hydrology, for any residential, commercial, industrial, utility, or other use, such as, but not limited to, clearing, grubbing, or grading of land, and structural improvements, e.g., buildings, walls, fences, signs, and vehicular use areas.

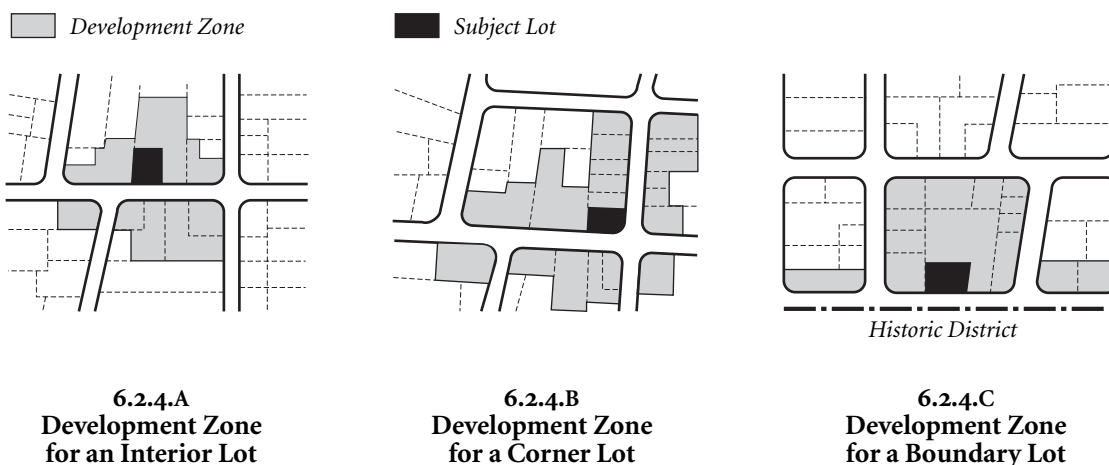
Development Designator. A letter or number, or a combination of letters and numbers, which designates the development criteria applicable to each land use in every zone. For applicability information, refer to Sec. 2.1.8.

Development Plan. A drawing of a project site that provides detailed information which shows how a proposed project will be developed in compliance with City regulations. Where specifically required by ordinance or condition of rezoning, a development plan shall be prepared in compliance with the requirements of Sec. 5.3.8 of this chapter.

Development Review Board (DRB). See Sec. 5.1.8, Development Review Board (DRB).

Development Zone. As used in Sec. 2.8.8, Historic Preservation Zone (HPZ), and Sec. 2.8.10, Rio Nuevo and Downtown (RND) Zone, a certain designated area adjacent to the lot to be developed. Public and institutional structures within the development zone shall not be considered part of the development zone when evaluating proposed development on an adjacent property, except for public and institutional structures on or eligible for inclusion on the National Register of Historic Places. The development zone is determined as follows. (See *Illustration 6.2.4.A, .B, and .C.*)

- A. Where the subject lot is an interior lot, the development zone includes that lot, all lots on either side of that lot and fronting on the same street in the same block, and all those lots on the opposite side of that street, except such portions of the development zone which fall outside the boundary of the historic district or the Rio Nuevo and Downtown (RND) Zone.
- B. Where the subject lot is a corner lot, the development zone includes that lot, the corner lot diagonally opposite that lot, all lots fronting on the same two (2) streets in the same block, and all lots on the opposite sides of those streets, except such portions of the development zone which fall outside the boundary of the historic district or the Rio Nuevo and Downtown (RND) Zone.
- C. Where the subject lot is located adjacent to a historic zone boundary, the development zone includes that lot, all lots located within the same block, and those lots facing the same street as the subject lot within one block in either direction, except such portions of the zone which fall outside the boundary of the historic district or the Rio Nuevo and Downtown (RND) Zone.



(Ord. No. 9780, §7, 10/14/02)

Director. Same as Planning Director. See Sec. 5.1.4.3.

CITY OF TUCSON LAND USE CODE
ARTICLE VI. DEFINITIONS
DIVISION 2. LISTING OF WORDS AND TERMS

Sec. 6.2.6



For exact boundaries, please see the official zoning maps.

Map 6.2.6-1 Fourth Avenue Business District

Fraternity or Sorority. A building housing five (5) or more student residents belonging to an organization created for scholastic, professional, or extracurricular activities, associated or formally organized for a common purpose, with a name consisting of Greek letters. These organizations are typically recognized by universities as legally chartered fraternities or sororities.

Freeway-Oriented Business. A commercial use with direct access to the interstate frontage roads or a commercial use with a driveway entrance within one hundred (100) feet of the interstate frontage roads. (Ord. No. 9780, §7, 10/14/02)

Frontage. The length of a lot line which abuts a street right-of-way.

Future Curb Location. The ultimate location of the street curb as determined by one (1) of the following.

- A. For nonarterial streets, Development Standard 3-01.0, Street Standards, is used.
- B. For arterial streets, the *Major Streets and Routes (MS&R) Plan* is used.
- C. For both nonarterial and arterial streets, if specific engineering plans are approved and on file in the City Engineer's Office, they are used.

Future Half Right-of-Way Area. The same as major streets and routes (MS&R) right-of-way area.

Future Right-of-Way Line. The same as major streets and routes (MS&R) right-of-way line.

Future Sidewalk Location. The ultimate location of the sidewalk as determined by one (1) of the following.

- A. For nonarterial streets, Development Standard 3-01.0.
- B. For arterial streets, the *Major Streets and Routes (MS&R) Plan*.
- C. For both arterial and nonarterial streets, specific engineering plans, if they are approved by the Mayor and Council and on file in the City Engineer's Office.

6.2.7

DEFINITIONS - G.

Garage. A building enclosed with walls or doors on three (3) or more sides used for the parking of one (1) or more motor vehicles.

Gateway Route. A street or parkway designated on the *Major Streets and Routes (MS&R) Plan* map which is a heavily traveled entrance to and through the city. These routes link major employment areas, shopping centers, and recreational areas used regularly by a large number of residents and visitors and present a visual impression of Tucson's character.

General Aviation Aircraft. Aircraft with a maximum gross weight of twelve thousand five hundred (12,500) pounds, excluding ultralight aircraft.

General Plan. A comprehensive declaration of purposes, policies, and programs to guide the growth and development of the city and its environs, addressing the following elements: land use; circulation; conservation and environmental planning; parks, recreation, open space, and trails; public buildings, services, and facilities; cultural heritage; housing; conservation, rehabilitation, and redevelopment; safety; human resources; government; economic development; community character and design; growth area and population; cost of development; and water resources. (Ord. No. 9517, §5, 2/12/01)

GFA. Same as Gross Floor Area.

Governmental. Any agency or department of the federal, state, county, or city government.

Revegetation. Establishment of plants at a density similar to what exists under similar topographic and soil conditions.

Rezone. To change the zoning classification of land.

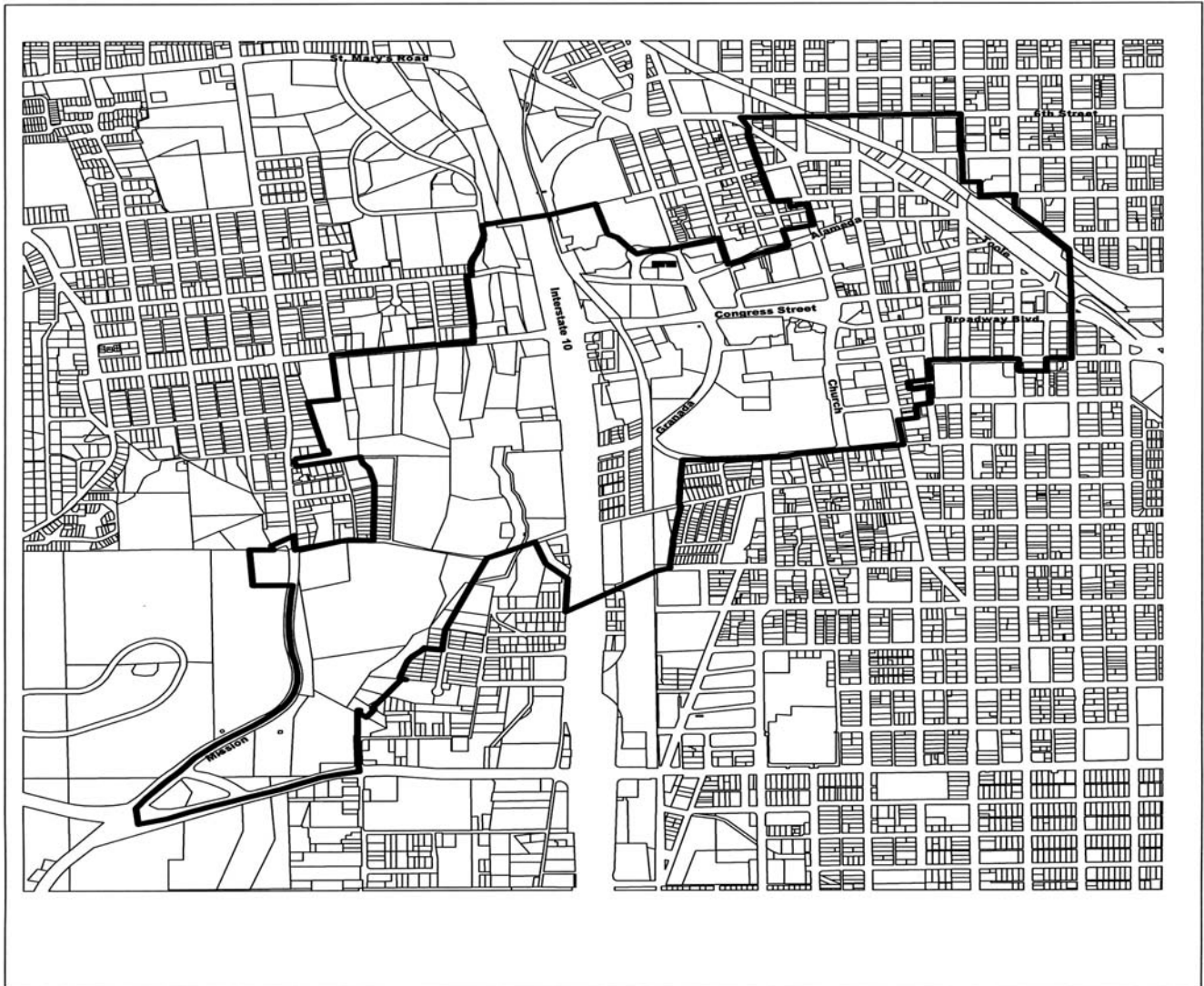
Rhythm. As used in Sec. 2.8.8, Historic Preservation Zone (HPZ), the ordered recurrent alternation of solids to voids in the facade and streetscape.

Ridge (when used in relation to natural terrain). A relatively narrow elevation which is prominent on account of the steep angle at which it rises; an elongated crest or series of crests, with or without peaks, significantly higher than the adjoining ground.

Ridge Line. A ground line located at the highest elevation of the ridge running parallel to the long axis of the ridge.

Right-of-Way. An area reserved for a public or private use, such as, but not limited to, street or alley rights-of-way and utility easements.

Rio Nuevo and Downtown (RND) Zone. The area delineated by Map 6.2.18-I. *(See Map 6.2.18-I.)*



Rio Nuevo and Downtown Zone

For exact boundaries, please see official zoning maps.

Map 6.2.18-I Rio Nuevo and Downtown (RND) Zone

(Ord. No. 9780, §7, 10/14/02)

Riparian. Land adjacent to washes and drainageways which is occupied by biotic communities differing in species composition and/or density from surrounding upland due to an increase in moisture and different soil conditions.

Roadway. The paved portion of a street, excluding curbs. On an unpaved street, the roadway is the area set aside for motor vehicle traffic.

ROW. Same as Right-of-Way.

RV. Same as Recreational Vehicle.

R/W. Same as Right-of-Way.

6.2.19 DEFINITIONS - S.

Salvageable/Transplantable Plant. A plant rated as Viable which also has a good likelihood of surviving and adapting to a new location if dug up and replanted. (Ord. No. 8845, §2, 3/24/97)

Scenic Route. Any route so designated in the *Major Streets and Routes (MS&R) Plan*.

Screen. An opaque barrier designed and constructed to conceal areas used for storage, refuse, mechanical equipment, parking, or delivery service loading bays from street and public view or to buffer adjacent land uses.

SCZ. Same as Scenic Corridor Zone. See Sec. 2.8.2.

Search Area. As applied to wireless communication regulations, the limited area within a service area where an antenna can be placed that will provide satisfactory communications service within that service area. (Ord. No. 8813, §1, 3/3/97)

Secondary School. See Sec. 6.3.4.6, Educational Use.

Seriously Mentally Ill Person. One as defined in Arizona Revised Statutes (ARS), Sec. 36-550. The determination is to be made by an individual qualified in the State of Arizona to make such evaluation.

Service Area. As applied to wireless communication regulations, the geographical area where satisfactory communications service can be provided by the placement of a specific antenna. (Ord. No. 8813, §1, 3/3/97)

Service Bay. A specific location on a site reserved for servicing a motor vehicle. Such location can be within an enclosed building or can be a designated area located outside a building.

Setback. The distance from a set point.

Shelter Care. See Sec. 6.3.8.5, Residential Care Services.

Shopping Center. A mixed use development composed of an integrated group of establishments (stores), planned, constructed, and managed as a unit, utilizing common or shared facilities, such as buildings, parking, and vehicular and pedestrian access, where at least fifty (50) percent of the use is retail. The individual establishments may be owned by a single entity or by separate entities. (Ord. No. 9293, §1, 9/27/99)

Shopping Center, Neighborhood. A shopping center which occupies up to ten (10) acres and has up to one hundred thousand (100,000) square feet of gross leasable area.

Shopping Center, Regional. Same as Regional Mall.

Single-Family Dwelling. A building containing one (1) dwelling unit.

Single-Family Dwelling, Attached. A dwelling unit attached on a horizontal plane to one (1) or more dwelling units by structural elements common to the attached units. Each dwelling unit is located on its own individual lot or separated by a line denoting a separate ownership of each unit. The structural elements include common wall construction, roof, or other similar improvement. Elements such as trellises, beams, and patio walls are not included.

Single-Family Dwelling, Detached. A dwelling unit which is not attached to any other dwelling unit by any structural elements, surrounded by open space and located on its own separate lot.

Site. The land area consisting of a lot or contiguous lots, not including dedicated public property, designated for development as a single entity and exclusive of any abutting public right-of-way.

Site Coverage. Same as Lot Coverage.

Site Plan. For the purposes of the *Land Use Code (LUC)*, same as Development Plan.

Site Utilization. As used in Sec. 2.8.8, Historic Preservation Zone (HPZ), the spacing between the sides of buildings.

Slope Plan. A plan which demonstrates the feasibility of complying with the site grading requirements and site cut and fill requirements of Sec. 2.8.1, Hillside Development Zone (HDZ), and further depicts the location, extent, and treatment of all cut and fill slopes.

Solar Access. Access to sunlight to protect active or passive solar energy systems from shadows blocking exposure to the sun during hours of high insolation, from 9:20 a.m. to 3:20 p.m. local time.

Solar Energy System. Includes: (1) A design using natural and architectural features to cool or heat a structure or (2) a mechanical assembly which may include a solar collector, storage facility, and any other components needed to cool or heat a structure.

Sorority. See Fraternity.

Soup Kitchen. A Food Service use which provides free meals for consumption on site.

Specific Plan. A detailed policy plan or regulation which implements the *General Plan* or any of the elements of that *Plan*. Specific plans include subregional, area, and neighborhood plans; the *Major Streets and Routes (MS&R) Plan*; the *Land Use Code (LUC)*; and any other similar plan. For more detailed information on specific plans, refer to Sec. 5.2.3. (Ord. No. 9374, §1, 4/10/00; Ord. No. 9517, §5, 2/12/01)

Specified Anatomical Areas. Is:

- A. Less than completely and opaquely covered human genitals, pubic region, buttock, anus, or female breasts below a point immediately above the top of the areola; or
- B. Human male genitals in a discernibly turgid state, even if completely and opaquely covered.

Specified Sexual Activities. Is:

- A. Human genitals in a state of sexual stimulation or arousal; or
- B. Acts of human masturbation, sexual intercourse, or sodomy; or
- C. Fondling or other erotic touching of human genitals, pubic region, buttocks, anus, or female breasts.

STAC. Same as Stormwater Technical Advisory Committee.

Stacking Space. An area designed to accommodate vehicles waiting in line to receive a service.

State. Same as the State of Arizona.

Stormwater Technical Advisory Committee (STAC). A Mayor and Council appointed committee established for the purpose of advising the City Engineer and the Mayor and Council on stormwater issues.

Street. Any permanent public or private right-of-way, other than an alley or parking area access lane, set aside to accommodate vehicular travel lanes, parking lanes, bike lanes, pedestrian facilities, utility areas, and other such design features, whether designated as a street, drive, highway, thoroughfare, road, boulevard, avenue, lane, or place.

Street Landscape Border. An area along the street frontage of a site containing landscape materials, screening, and open space, the purpose of which is to enhance the visual appearance of the streetscape.

Street Lot Line. The property line bounding a street.

Street Perimeter Line. Same as Street Lot Line.

Street Perimeter Yard. The perimeter yard between a street lot line and a building.

Structure. A physical element constructed or erected with a fixed location on the ground or attached to another physical element having a fixed location at, below, or above grade. Structures include such elements as, but are not limited to, buildings, paved areas, walls, fences, posts, and patios.

Structure Height. The vertical dimension of a structure measured from a specified point on the ground. For information on applying a height requirement, refer to Sec. 3.2.7.

Subdivider. A person, firm, corporation, partnership, association, syndicate, trust, or other legal entity that files application and initiates proceedings for the subdivision of land in accordance with the provisions of this Chapter and any other local applicable ordinance or state statute, except that an individual serving as agent for such legal entity is not a subdivider.

Subdivision. The same as "subdivision" as defined in Sec. 4.1.2 of this Chapter.

Supervision Facility. See Sec. 6.3.4.4, Correctional Use.

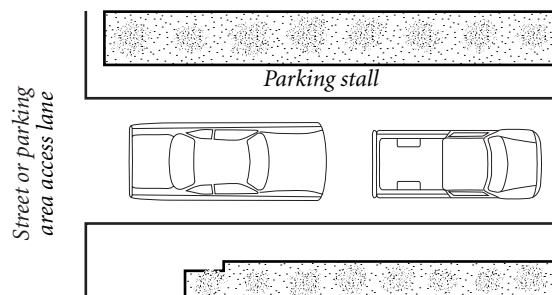
Swap Meet. A place of commercial activity popularly known as swap meet, flea market, or park-and-swap which is open to the general public. A swap meet is composed of semienclosed or outdoor stalls, stands, or spaces, at least fifty (50) percent of which do not occupy the same allotted area on an uninterrupted, continuous, daily basis for the purpose of display and sale, exchange, or barter of merchandise, exclusive of occasional craft fairs and benefit sales held on public property.

Swap Meet, Indoor. A swap meet which is located in a completely enclosed building.

6.2.20 DEFINITIONS - T.

Tagging. The tagging of plants on-site to denote their identification number and their disposition: whether they will be preserved in place, salvaged and transplanted on-site, and/or salvaged and transplanted off-site. (Ord. No. 8845, §2, 3/24/97)

Tandem Parking. Two (2) motor vehicle parking spaces placed one behind the other with direct access from a street, alley, parking area access lane (PAAL), or other travel lane to only one (1) of the spaces. (See *Illustration 6.2.20.*)



6.2.20 Tandem Parking

Tavern. Same as Bar.

TDOT. Same as Tucson Department of Transportation.

Tentative Plat. A graphic representation of a proposed subdivision, including supporting data, designed and prepared in accordance with the subdivision provisions of this Chapter, any other local applicable regulation, and state statute. A tentative plat is the same as a preliminary plat as defined in state statute.

Tower. A mast, pole, monopole, guyed or freestanding framework, or other vertical element which acts as an antenna or to which an antenna is affixed or attached. (Ord. No. 8813, §1, 3/3/97)

Travel Lane. The area within a paved roadway reserved for moving vehicular traffic.

Tucson General Plan. Same as *General Plan*. (Ord. No. 9517, §5, 2/12/01)

TUP. Same as Temporary Use Permit. See Sec. 5.3.7.

Turf. An area of grass ground cover grown together in a thick mat.

6.2.21 DEFINITIONS - U.

Ultralight Airpark. An airport used by the general public or an ultralight flying club for ultralight aircraft operation.

Undisturbed Natural Desert. An area of land maintained in its original condition with natural desert cover, native topography, and native vegetation intact.

Upland Vegetation. Refers to vegetation which grows outside of the floodplain, typically on low desert slopes. Upland vegetation on south-facing slopes is typically the Foothill Palo Verde, Saguaro, and Ocotillo; on north facing slopes, it is typically the Foothill Palo Verde and Whitethorn Acacia. Some plants, such as Mesquites, are able to grow as upland and riparian vegetation. (Ord. No. 8845, §2, 3/24/97)

Utilities. Services such as gas, electric, water, telephone, and cable television.

6.2.22 DEFINITIONS - V.

Vehicular Use Area. Any area of a site or structure used for the parking, storage, or standing of motor vehicles. The vehicular use area includes access drives, maneuvering areas, refuse collection locations, loading spaces, and any landscaping and screening.

Viable Plant. A plant on the Protected Native Plant List that is in good physical condition with high or medium rating for health, age, and form. (Ord. No. 8845, §2, 3/24/97)

Visible from the Scenic Route. Not blocked from view by buildings, structures, or natural features from the Scenic Routes. An object is considered visible whenever it can be seen, not blocked by an intervening structure or terrain, from four (4) feet above the natural grade at the future right-of-way line along the parcel.

6.2.23 DEFINITIONS - W.

Waiting Area. That portion of a public accommodations use allocated to clientele waiting to request or receive products or services offered by the use.

Wireless Communication. See Sec. 6.2.3, Communication, Wireless. (Ord. No. 8813, §1, 3/3/97)

Wireless Communications Provider. The entity which provides the wireless communication service. (Ord. No. 8813, §1, 3/3/97)

Wireless Communication Tower. See Sec. 6.2.20, Tower. (Ord. No. 8813, §1, 3/3/97)

6.2.24 DEFINITIONS - X.

Xeriscape. A landscaping program designed to save water using the seven (7) principles listed below. For examples, refer to Development Standard No. 2-06.0.

- A. Water conserving design.
- B. Low water use/drought-tolerant plants.
- C. Reduction in turf.
- D. Water harvesting techniques.
- E. Appropriate irrigation methods.
- F. Soil improvements and use of mulches.
- G. Proper maintenance practices.

6.2.25 DEFINITIONS - Y.

6.2.26 DEFINITIONS - Z.

Zoning Maps. Same as City Zoning Maps.

ZV. Same as Zoning Violation.

ZVC. Same as Zoning Violation Citation.

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CITY OF TUCSON LAND USE CODE
INDEX

INDEX

| | <u>Section</u> | | <u>Section</u> |
|---|----------------|--|----------------|
| Outdoor Display of Products for Rent or Sale | 2.1.10 | <i>Financial Service</i> | 3.5.4.5 |
| Outpatient Medical Service | | <i>Food Service</i> | 3.5.4.6 |
| See herein: Medical Service - Outpatient | | <i>Funeral Service</i> | 3.5.4.22 |
| Overlay Zones | 2.8.0 | <i>Medical Service</i> | 3.5.4.8 |
| Airport Environs Zone (AEZ) | 2.8.5 | <i>Medical Service in Residential and</i> | |
| Downtown Heritage Incentive Zone | 2.8.7 | <i>Office Zones</i> | 3.5.4.9 |
| Drachman School Overlay (DSO) Zone | 2.8.9 | <i>Office Zone Compatibility</i> | 3.5.4.11 |
| Environmental Resource Zone (ERZ) | 2.8.6 | <i>P Parking Zone</i> | 3.5.4.12 |
| Gateway Corridor Zone | 2.8.4 | <i>Personal Service</i> | 3.5.4.13 |
| "H" Historic Preservation Zone (HPZ) | 2.8.8 | <i>Research and Product Development</i> | 3.5.4.14 |
| Hillside Development Zone (HDZ) | 2.8.1 | <i>Sale of Spirituous Liquor in</i> | |
| Major Streets and Routes (MS&R) | | <i>Conjunction with Food</i> | |
| Setback Zone | 2.8.3 | <i>Service Use</i> | 3.5.4.7 |
| Rio Nuevo and Downtown (RND) Zone | 2.8.10 | <i>Secondary Uses to Major Medical</i> | |
| Scenic Corridor Zone (SCZ) | 2.8.2 | <i>Service and Outpatient Medical</i> | |
| | | <i>Service</i> | 3.5.4.10 |
| | | <i>Secondary Uses to Travelers'</i> | |
| P Parking Zone | 2.5.6 | <i>Accommodation, Lodging</i> | 3.5.4.17 |
| Parking | | <i>Technical Service</i> | 3.5.4.16 |
| Land Use Class | 6.3.5.18 | <i>Trade Service and Repair, Major</i> | 3.5.4.15 |
| Parking Requirements | | <i>Trade Service and Repair, Minor</i> | 3.5.4.27 |
| See herein: Motor Vehicle and Bicycle | | <i>Transportation Service, Air Carrier</i> | 3.5.4.23 |
| Parking Requirements | | <i>Travelers' Accommodation,</i> | |
| Pedestrian Facilities | 3.2.8.4 | <i>Campsite</i> | 3.5.4.24 |
| Performance Criteria | 3.5.0 | General | 3.5.1 |
| Agricultural Use Group | 3.5.2 | <i>Applicability</i> | 3.5.1.2 |
| <i>Animal Production</i> | 3.5.2.1 | <i>Purpose</i> | 3.5.1.1 |
| <i>Crop Production</i> | 3.5.2.2 | Generally Applied Criteria | 3.5.13 |
| <i>Stockyard Operation</i> | 3.5.2.3 | <i>Access</i> | 3.5.13.1 |
| Civic Use Group | 3.5.3 | <i>Hours</i> | 3.5.13.2 |
| <i>Cemetery</i> | 3.5.3.1 | <i>Lighting</i> | 3.5.13.3 |
| <i>Correctional Use</i> | 3.5.3.4 | <i>Noise</i> | 3.5.13.4 |
| <i>Cultural Use</i> | 3.5.3.5 | <i>Outdoor Activity</i> | 3.5.13.5 |
| <i>Educational Use</i> | 3.5.3.7 | <i>Screening</i> | 3.5.13.6 |
| <i>Governmental Uses</i> | 3.5.3.2 | Industrial Use Group | 3.5.5 |
| <i>Postsecondary Institutions</i> | 3.5.3.3 | <i>Craftwork Manufacturing</i> | 3.5.5.7 |
| <i>Religious Use</i> | 3.5.3.6 | <i>Extraction</i> | 3.5.5.3 |
| Commercial Services Use Group | 3.5.4 | <i>Manufacturing and Industrial</i> | 3.5.5.1 |
| <i>Administrative and Professional</i> | | <i>Motion Picture Industry</i> | 3.5.5.4 |
| <i>Office</i> | 3.5.4.18 | <i>Perishable Goods Manufacturing</i> | 3.5.5.2 |
| <i>Adult Day Care</i> | 3.5.4.25 | <i>Radioactive Materials Restrictions</i> | 3.5.5.5 |
| <i>Alcoholic Beverage Service</i> | 3.5.4.19 | <i>Salvaging</i> | 3.5.5.6 |
| <i>Animal Service</i> | 3.5.4.1 | Recreation Use Group | 3.5.6 |
| <i>Automotive - Service and Repair</i> | 3.5.4.2 | <i>Golf Course Requirements</i> | 3.5.6.3 |
| <i>Billboards</i> | 3.5.4.26 | <i>Recreation</i> | 3.5.6.4 |
| <i>Child Care in Residential and</i> | | <i>Secondary Uses to Golf Course</i> | 3.5.6.1 |
| <i>Office Zones</i> | 3.5.4.3 | Residential Use Group | 3.5.7 |
| <i>Communications</i> | 3.5.4.20 | <i>Artist Studio/Residence in I-1</i> | 3.5.7.10 |
| <i>Construction Service</i> | 3.5.4.21 | <i>Family Dwelling</i> | 3.5.7.1 |
| <i>Entertainment</i> | 3.5.4.4 | | |

CITY OF TUCSON LAND USE CODE
INDEX

INDEX

| | <u>Section</u> | | <u>Section</u> |
|--|----------------------------|--|----------------|
| <i>Family Dwelling or Mobile Home Dwelling as Secondary Use in Industrial Zone</i> | 3.5.7.7 | OCR-1 Office/Commercial/Residential Zone | 2.6.1.2 |
| <i>Home Occupation: Day Care</i> | 3.5.7.3 | OCR-2 Office/Commercial/Residential Zone | 2.6.2.2 |
| <i>Home Occupation: General Application</i> | 3.5.7.2 | Open Space (OS) Zone | 2.9.1.3 |
| <i>Home Occupation: Group Dwelling</i> | 3.5.7.9 | P Parking Zone | 2.5.6.2 |
| <i>Home Occupation: Travelers' Accommodation, Lodging</i> | 3.5.7.4 | P-I Park Industrial Zone | 2.7.1.2 |
| <i>Mobile Home Dwelling Secondary Uses</i> | 3.5.7.5, 3.5.7.6, 3.5.7.11 | R-1 Residence Zone | 2.3.4.2 |
| <i>Residential Care Services</i> | 3.5.7.8 | R-2 Residence Zone | 2.3.5.2 |
| Restricted Adult Activities Use Group | 3.5.8 | R-3 Residence Zone | 2.3.6.2 |
| <i>Restricted Adult Activities</i> | 3.5.8.1 | RH Rural Homestead Zone | 2.2.2.2 |
| Retail Trade Use Group | 3.5.9 | RV Recreational Vehicle Zone | 2.5.7.2 |
| <i>Food and Beverage Sales</i> | 3.5.9.1 | RVC Rural Village Center Zone | 2.5.1.2 |
| <i>General Merchandise Sales</i> | 3.5.9.2 | RX-1 Residence Zone | 2.3.2.2 |
| <i>Heavy Equipment Sales</i> | 3.5.9.3 | RX-2 Residence Zone | 2.3.3.2 |
| <i>Large Retail Establishment</i> | 3.5.9.7 | SH Suburban Homestead Zone | 2.2.6.2 |
| <i>Secondary Uses in P-I Zone</i> | 3.5.9.6 | SR Suburban Ranch Zone | 2.2.4.2 |
| <i>Swap Meets and Auctions</i> | 3.5.9.4 | Personal Service | |
| <i>Vehicle Rental and Sales</i> | 3.5.9.5 | Land Use Class | 6.3.5.19 |
| Storage Use Group | 3.5.10 | Performance Criteria | 3.5.4.13 |
| <i>Commercial Storage</i> | 3.5.10.1 | Personal Storage | |
| <i>Hazardous Material Storage</i> | 3.5.10.2 | Land Use Class | 6.3.11.4 |
| <i>Personal Storage</i> | 3.5.10.3 | Performance Criteria | 3.5.10.3 |
| Utilities Use Group | 3.5.11 | P-I Park Industrial Zone | 2.7.1 |
| <i>Distribution System</i> | 3.5.11.1 | Planned Area Development (PAD) Zone | 2.6.3 |
| Wholesaling Use Group | 3.5.12 | Plant Preservation | |
| Perimeter Yard Width Matrix | 3.2.6.4 | See herein: Native Plant Preservation | |
| Perimeter Yards | 3.2.6 | Plat Conditions, Violation of | 5.5.3.10 |
| Perishable Goods Manufacturing | | Postal Service | |
| Land Use Class | 6.3.6.8 | Land Use Class | 6.3.4.8 |
| Performance Criteria | 3.5.5.2 | Postsecondary Institution | |
| Permitted Land Uses | 2.1.4 | Performance Criteria | 3.5.3.3 |
| C-1 Commercial Zone | 2.5.3.2 | See also herein: Educational Use | |
| C-2 Commercial Zone | 2.5.4.2 | Precision Manufacturing | |
| C-3 Commercial Zone | 2.5.5.2 | Land Use Class | 6.3.6.9 |
| General Provisions | 2.1.4 | Primary Manufacturing | |
| I-1 Light Industrial Zone | 2.7.2.2 | Land Use Class | 6.3.6.10 |
| I-2 Heavy Industrial Zone | 2.7.3.2 | Principal Land Use | |
| IR Institutional Reserve Zone | 2.2.1.2 | Development Criteria | 3.2.2 |
| MH-1 Mobile Home Zone | 2.3.7.2 | Principal Structure | |
| MH-2 Mobile Home Zone | 2.3.8.2 | Development Criteria | 3.2.3 |
| MU Multiple Use Zone | 2.6.4.2 | Processing and Cleaning | |
| NC Neighborhood Commercial Zone | 2.5.2.2 | Land Use Class | 6.3.6.11 |
| O-1 Office Zone | 2.4.1.2 | Project Design Option (PDO) | 5.3.5 |
| O-2 Office Zone | 2.4.2.2 | Protected Development Right | 5.3.10 |
| O-3 Office Zone | 2.4.3.2 | Protective Service | |
| | | Land Use Class | 6.3.4.9 |

CITY OF TUCSON LAND USE CODE
INDEX

INDEX

| | <u>Section</u> | | <u>Section</u> |
|--|----------------|---|----------------|
| R-1 Residence Zone | 2.3.4 | Retail Establishment, Large, | |
| R-2 Residence Zone | 2.3.5 | Design Criteria | 3.5.9.7 |
| R-3 Residence Zone | 2.3.6 | Retail Trade Use Group | 6.3.10 |
| Radioactive Materials Restrictions | | Construction Material Sales | 6.3.10.2 |
| Performance Criteria | 3.5.5.5 | Food and Beverage Sales | 6.3.10.3 |
| Recreation | | General Merchandise Sales | 6.3.10.4 |
| Land Use Class | 6.3.7.4 | Heavy Equipment Sales | 6.3.10.5 |
| Performance Criteria | 3.5.6.4 | Performance Criteria | 3.5.9 |
| Recreation Use Group | 6.3.7 | Purpose | 6.3.10.1 |
| Golf Course | 6.3.7.2 | Swap Meets and Auctions | 6.3.10.6 |
| Neighborhood Recreation | 6.3.7.3 | Vehicle Rental and Sales | 6.3.10.7 |
| Open Space (OS) Zone | 6.3.7.5 | Rezoning | 5.3.2 |
| Performance Criteria | 3.5.6 | Rezoning Conditions, Violation of | 5.5.3.6 |
| Purpose | 6.3.7.1 | RH Rural Homestead Zone | 2.2.2 |
| Recreation | 6.3.7.4 | Rio Nuevo and Downtown (RND) Zone .. | 2.8.10 |
| Refining | | RV Recreational Vehicle Zone | 2.5.7 |
| Land Use Class | 6.3.6.12 | RVC Rural Village Center Zone | 2.5.1 |
| Religious Use | | RX-1 Residence Zone | 2.3.2 |
| Land Use Class | 6.3.4.10 | RX-2 Residence Zone | 2.3.3 |
| Performance Criteria | 3.5.3.6 | | |
| Research and Product Development | | Sale of Spirituous Liquor in Conjunction | |
| Land Use Class | 6.3.5.20 | with Food Service Use | |
| Performance Criteria | 3.5.4.14 | Performance Criteria | 3.5.4.7 |
| Residential Care Services | | Salvaging | |
| Land Use Class | 6.3.8.5 | Land Use Class | 6.3.6.13 |
| Performance Criteria | 3.5.7.8 | Performance Criteria | 3.5.5.6 |
| Residential Cluster Project (RCP) | 3.6.1 | San Xavier Environs Historic | |
| Residential Density Calculations | | District | 2.8.8.13 |
| Development Criteria | 3.2.10 | Sanitation System | |
| Residential Development Designators | 3.2.3.1 | Land Use Class | 6.3.12.4 |
| Residential Use Group | 6.3.8 | Scenic Corridor Zone (SCZ) | 2.8.2 |
| Family Dwelling | 6.3.8.2 | Scope (LUC) | 1.1.3 |
| Group Dwelling | 6.3.8.3 | Screening, Generally Applied | |
| Mobile Home Dwelling | 6.3.8.4 | Performance Criteria | 3.5.13.6 |
| Performance Criteria | 3.5.7 | Screening Regulations | |
| Purpose | 6.3.8.1 | See herein: Landscaping and Screening | |
| Residential Care Services | 6.3.8.5 | Regulations | |
| Restoring Unsafe Structures | 1.2.8 | Secondary Land Uses | 2.1.6, |
| Restricted Adult Activities | | | 3.2.4 |
| Performance Criteria | 3.5.8.1 | C-1 Commercial Zone | 2.5.3.4 |
| Restricted Adult Activities Use Group | 6.3.9 | C-2 Commercial Zone | 2.5.4.4 |
| Adult Commercial Services | 6.3.9.2 | C-3 Commercial Zone | 2.5.5.4 |
| Adult Industrial Uses | 6.3.9.3 | Development Criteria | 3.2.4 |
| Adult Recreation | 6.3.9.4 | General Provisions | 2.1.6 |
| Adult Retail Trade | 6.3.9.5 | I-1 Light Industrial Zone | 2.7.2.4 |
| Performance Criteria | 3.5.8 | I-2 Heavy Industrial Zone | 2.7.3.4 |
| Purpose | 6.3.9.1 | IR Institutional Reserve Zone | 2.2.1.4 |
| | | MH-1 Mobile Home Zone | 2.3.7.4 |

CITY OF TUCSON LAND USE CODE
INDEX

INDEX

| | <u>Section</u> | | <u>Section</u> |
|--|-----------------|--|----------------|
| MH-2 Mobile Home Zone | 2.3.8.4 | O-2 Office Zone | 2.4.2.3 |
| MU Multiple Use Zone | 2.6.4.4 | O-3 Office Zone | 2.4.3.3 |
| NC Neighborhood Commercial Zone | 2.5.2.4 | OCR-1 Office/Commercial/Residential Zone | 2.6.1.3 |
| O-1 Office Zone | 2.4.1.4 | OCR-2 Office/Commercial/Residential Zone | 2.6.2.3 |
| O-2 Office Zone | 2.4.2.4 | P-I Park Industrial Zone | 2.7.1.3 |
| O-3 Office Zone | 2.4.3.4 | R-1 Residence Zone | 2.3.4.3 |
| OCR-1 Office/Commercial/Residential Zone | 2.6.1.4 | R-2 Residence Zone | 2.3.5.3 |
| OCR-2 Office/Commercial/Residential Zone | 2.6.2.4 | R-3 Residence Zone | 2.3.6.3 |
| P-I Park Industrial Zone | 2.7.1.4 | RH Rural Homestead Zone | 2.2.2.3 |
| Performance Criteria | 3.5.9.6 | RVC Rural Village Center Zone | 2.5.1.3 |
| R-1 Residence Zone | 2.3.4.4 | RX-1 Residence Zone | 2.3.2.3 |
| R-2 Residence Zone | 2.3.5.4 | RX-2 Residence Zone | 2.3.3.3 |
| R-3 Residence Zone | 2.3.6.4 | SH Suburban Homestead Zone | 2.2.6.3 |
| RH Rural Homestead Zone | 2.2.2.4 | SR Suburban Ranch Zone | 2.2.4.3 |
| RV Recreational Vehicle Zone | 2.5.7.3 | Specific Planned (SP) Zone | |
| RVC Rural Village Center Zone | 2.5.1.4 | See herein: Planned Area Development (PAD) Zone | |
| RX-1 Residence Zone | 2.3.2.4 | Specific Plans and Regulations | 5.2.3 |
| RX-2 Residence Zone | 2.3.3.4 | Spirituos Liquor, Sale of, in Conjunction with Food Service Use | |
| SH Suburban Homestead Zone | 2.2.6.4 | Performance Criteria | 3.5.4.7 |
| SR Suburban Ranch Zone | 2.2.4.4 | SR Suburban Ranch Zone | 2.2.4 |
| Secondary School | | Stockyard Operation | |
| See herein: Educational Use | | Land Use Class | 6.3.3.5 |
| Secondary Uses | | Performance Criteria | 3.5.2.3 |
| Golf Course, Performance Criteria | 3.5.6.1 | Storage Use Group | 6.3.11 |
| Major Medical Service and Outpatient Medical Service, Performance Criteria | 3.5.4.10 | Commercial Storage | 6.3.11.2 |
| Travelers' Accommodation, Lodging, Performance Criteria | 3.5.4.17 | Hazardous Material Storage | 6.3.11.3 |
| Severability | 1.2.11 | Performance Criteria | 3.5.10 |
| SH Suburban Homestead Zone | 2.2.6 | Personal Storage | 6.3.11.4 |
| Site Plan, Violation of | 5.5.3.9 | Purpose | 6.3.11.1 |
| Solar Considerations | 3.2.12 | Streets | 3.2.13 |
| Special Exception Land Uses | 2.1.5, 5.3.9 | Structure Height Measurement | 3.2.7 |
| C-1 Commercial Zone | 2.5.3.3 | Subdivisions | |
| C-2 Commercial Zone | 2.5.4.3 | Generally | 4.1.0 |
| C-3 Commercial Zone | 2.5.5.3 | Land Splits | 4.3.0 |
| General Provisions | 2.1.5 | Minor Subdivisions | 4.2.0 |
| I-1 Light Industrial Zone | 2.7.2.3 | Swap Meets and Auctions | |
| I-2 Heavy Industrial Zone | 2.7.3.3 | Land Use Class | 6.3.10.6 |
| IR Institutional Reserve Zone | 2.2.1.3 | Performance Criteria | 3.5.9.4 |
| MH-1 Mobile Home Zone | 2.3.7.3 | Technical Service | |
| MH-2 Mobile Home Zone | 2.3.8.3 | Land Use Class | 6.3.5.21 |
| MU Multiple Use Zone | 2.6.4.3 | Performance Criteria | 3.5.4.16 |
| NC Neighborhood Commercial Zone | 2.5.2.3 | Temporary Use or Structure | 5.3.7 |
| O-1 Office Zone | 2.4.1.3 | | |

CITY OF TUCSON LAND USE CODE
INDEX

INDEX

| | <u>Section</u> | | <u>Section</u> |
|---|----------------|--|----------------|
| Trade Service and Repair, Major | | Unsafe Structures, Restoring | |
| Land Use Class | 6.3.5.22 | Utilities Use Group | 6.3.12 |
| Performance Criteria | 3.5.4.15 | Distribution System | 6.3.12.2 |
| Trade Service and Repair, Minor | | Generating System | 6.3.12.3 |
| Land Use Class | 6.3.5.23 | Performance Criteria | 3.5.11 |
| Performance Criteria | 3.5.4.27 | Purpose | 6.3.12.1 |
| Transportation Service, Air Carrier | | Sanitation System | 6.3.12.4 |
| Land Use Class | 6.3.5.24 | Variances | 5.3.3 |
| Performance Criteria | 3.5.4.23 | Vehicle Rental and Sales | |
| Transportation Service, Land Carrier | | Land Use Class | 6.3.10.7 |
| Land Use Class | 6.3.5.25 | Performance Criteria | 3.5.9.5 |
| Travelers' Accommodation, Campsite | | Violation (LUC) | 1.1.4 |
| Land Use Class | 6.3.5.26 | Violation Declared Civil Infraction | 5.5.3.1 |
| Performance Criteria | 3.5.4.24 | Violation of a B/A Decision | 5.5.3.5 |
| Travelers' Accommodation, Lodging | | Violation of a Development Plan | 5.5.3.8 |
| Land Use Class | 6.3.5.27 | Violation of a Site Plan | 5.5.3.9 |
| Performance Criteria, Secondary Uses | 3.5.4.17 | Violation of Conditions of Approval | 5.5.3.7 |
| Turf, Use of | 3.7.2.5 | Violation of Plat Conditions | 5.5.3.10 |
| Type I Administrative Procedure | 5.4.3.1 | Violation of Rezoning Conditions | 5.5.3.6 |
| Type II Administrative Procedure | 5.4.3.2 | Wholesaling Use Group | 6.3.13 |
| Type III Administrative Procedure | 5.4.3.3 | Business Supply and Equipment | |
| Type IV Administrative Procedure | 5.4.3.4 | Wholesaling | 6.3.13.2 |
| Type V Administrative Procedure | 5.4.3.5 | Construction/Heavy Equipment | |
| Type VI Administrative Procedure | 5.4.3.6 | Wholesaling | 6.3.13.3 |
| Type VII Administrative Procedure | 5.4.3.7 | Food and Beverage Wholesaling | 6.3.13.4 |
| Type VIII Administrative Procedure | 5.4.3.8 | Hazardous Material Wholesaling | 6.3.13.5 |
| Type IX Administrative Procedure | 5.4.3.9 | Performance Criteria | 3.5.12 |
| Type X Administrative Procedure | 5.4.3.10 | Purpose | 6.3.13.1 |
| Type XI Administrative Procedure | 5.4.3.11 | Zone Boundaries, | |
| Type I Appeal Procedure | 5.4.4.1 | Determination of | 1.3.4 |
| Type II Appeal Procedure | 5.4.4.2 | Zone Boundaries Dividing a Lot | 1.3.5 |
| Type III Appeal Procedure | 5.4.4.3 | Zone Boundary Conflict | 1.3.6 |
| Type IV Appeal Procedure | 5.4.4.4 | Zones | |
| Type V Appeal Procedure | 5.4.4.5 | Commercial Zones | 2.5.0 |
| Type VI Appeal Procedure | 5.4.4.6 | C-1 Commercial Zone | 2.5.3 |
| Type I Legislative Procedure | 5.4.2.1 | C-2 Commercial Zone | 2.5.4 |
| Type II Legislative Procedure | 5.4.2.2 | C-3 Commercial Zone | 2.5.5 |
| Type III Legislative Procedure | 5.4.2.3 | NC Neighborhood Commercial Zone | 2.5.2 |
| Type IV Legislative Procedure | 5.4.2.4 | P Parking Zone | 2.5.6 |
| Type V Legislative Procedure | 5.4.2.5 | RV Recreational Vehicle Zone | 2.5.7 |
| Type VI Legislative Procedure | 5.4.2.6 | RVC Rural Village Center Zone | 2.5.1 |
| Type VII Legislative Procedure | 5.4.2.7 | General Provisions | 2.1.0 |
| Type VIII Legislative Procedure | 5.4.2.8 | Accessory Land Uses | 2.1.7 |
| Type IX Legislative Procedure | 5.4.2.9 | Development Designator | 2.1.8 |

CITY OF TUCSON LAND USE CODE
INDEX

INDEX

| | <u>Section</u> | | <u>Section</u> |
|---|----------------|---|----------------|
| <i>Development Regulations</i> | 2.1.9 | Zoning Administrator | 5.1.4.4 |
| <i>Establishment of Boundaries</i> | 2.1.2 | Zoning Compliance Approval, | |
| <i>Land Use Group and Land Use</i> | | Revocation of | 5.5.2.5 |
| <i>Class</i> | 2.1.3 | Zoning Examiner | 5.1.6 |
| <i>Permitted Land Uses</i> | 2.1.4 | Zoning of Land Annexed into the City | 1.2.9 |
| <i>Purpose</i> | 2.1.1 | Zoning of Right-of-Way | 1.3.7 |
| <i>Secondary Land Uses</i> | 2.1.6 | | |
| <i>Special Exception Land Uses</i> | 2.1.5 | | |
| Industrial Zones | 2.7.0 | | |
| <i>I-1 Light Industrial Zone</i> | 2.7.2 | | |
| <i>I-2 Heavy Industrial Zone</i> | 2.7.3 | | |
| <i>P-I Park Industrial Zone</i> | 2.7.1 | | |
| Mixed Use Zones | 2.6.0 | | |
| <i>MU Multiple Use Zone</i> | 2.6.4 | | |
| <i>OCR-1 Office/Commercial/</i> | | | |
| <i>Residential Zone</i> | 2.6.1 | | |
| <i>OCR-2 Office/Commercial/</i> | | | |
| <i>Residential Zone</i> | 2.6.2 | | |
| <i>Planned Area Development</i> | | | |
| <i>(PAD) Zone</i> | 2.6.3 | | |
| Office Zones | 2.4.0 | | |
| <i>O-1 Office Zone</i> | 2.4.1 | | |
| <i>O-2 Office Zone</i> | 2.4.2 | | |
| <i>O-3 Office Zone</i> | 2.4.3 | | |
| Open Space (OS) Zone | 2.9.1 | | |
| Overlay Zones | 2.8.0 | | |
| <i>Airport Environs Zone (AEZ)</i> | 2.8.5 | | |
| <i>Downtown Heritage Incentive Zone</i> | 2.8.7 | | |
| <i>Drachman School Overlay (DSO) Zone</i> | 2.8.9 | | |
| <i>Environmental Resource Zone (ERZ)</i> | 2.8.6 | | |
| <i>Gateway Corridor Zone</i> | 2.8.4 | | |
| <i>"H" Historic Preservation Zone</i> | | | |
| <i>(HPZ)</i> | 2.8.8 | | |
| <i>Hillside Development Zone (HDZ)</i> | 2.8.1 | | |
| <i>Major Streets and Routes (MS&R)</i> | | | |
| <i>Setback Zone</i> | 2.8.3 | | |
| <i>Rio Nuevo and Downtown (RND) Zone</i> .. | 2.8.10 | | |
| <i>Scenic Corridor Zone (SCZ)</i> | 2.8.2 | | |
| Rural Residential Zones | 2.2.0 | | |
| <i>IR Institutional Reserve Zone</i> | 2.2.1 | | |
| <i>RH Rural Homestead Zone</i> | 2.2.2 | | |
| <i>SH Suburban Homestead Zone</i> | 2.2.6 | | |
| <i>SR Suburban Ranch Zone</i> | 2.2.4 | | |
| Urban Residential Zones | 2.3.0 | | |
| <i>MH-1 Mobile Home Zone</i> | 2.3.7 | | |
| <i>MH-2 Mobile Home Zone</i> | 2.3.8 | | |
| <i>R-1 Residence Zone</i> | 2.3.4 | | |
| <i>R-2 Residence Zone</i> | 2.3.5 | | |
| <i>R-3 Residence Zone</i> | 2.3.6 | | |
| <i>RX-1 Residence Zone</i> | 2.3.2 | | |
| <i>RX-2 Residence Zone</i> | 2.3.3 | | |

APPENDIX 1

Checklist of Up-to-Date Pages

The following listing is included in this Code as a guide for the user to determine whether the Code volume properly reflects the latest print of each page.

In the first column, all page numbers are listed in sequence. The second column reflects the latest printing of the pages as they should appear in an up-to-date volume. When a page has been reprinted or printed as part of the supplement service, this column reflects the Supplement Number which is printed on the bottom of the page.

| Page No. | Supplement No. | Page No. | Supplement No. |
|-----------|----------------|----------|----------------|
| i, ii | 22 | 55, 56 | 26 |
| iii, iv | 30 | 57, 58 | 30 |
| v, vi | 28 | 59, 59.1 | 21 |
| vii, viii | 16 | 60, 61 | 20 |
| 1, 2 | 26 | 62, 63 | 20 |
| 3, 4 | 22 | 64, 65 | 15 |
| 5 | 23 | 66, 67 | 16 |
| 6, 7 | 11 | 68, 69 | 28 |
| 8, 9 | 11 | 70, 71 | 28 |
| 10, 11 | 21 | 72, 73 | 28 |
| 12, 13 | 12 | 74, 75 | 20 |
| 14, 15 | 12 | 76, 77 | 20 |
| 16, 17 | 21 | 78, 79 | 28 |
| 18, 19 | 14 | 80, 81 | 20 |
| 20, 21 | 25 | 82, 83 | 20 |
| 22, 23 | 16 | 84 | 12 |
| 24, 25 | 16 | 85, 86 | 22 |
| 26, 27 | 16 | 87, 88 | 28 |
| 28 | 28 | 89, 90 | 20 |
| 29, 30 | 25 | 91, 92 | 28 |
| 31, 32 | 16 | 92.1 | 20 |
| 33, 34 | 25 | 93, 94 | 26 |
| 35, 36 | 25 | 95, 96 | 30 |
| 37, 38 | 21 | 97, 98 | 22 |
| 38.1 | 21 | 99, 100 | 12 |
| 39, 40 | 25 | 101, 102 | 28 |
| 41, 42 | 21 | 103 | 12 |
| 43, 44 | 25 | 104, 105 | 14 |
| 45, 46 | 21 | 106, 107 | 22 |
| 46.1 | 21 | 108, 109 | 15 |
| 47, 48 | 15 | 110, 111 | 28 |
| 49, 50 | 15 | 112, 113 | 28 |
| 50.1 | 15 | 114, 115 | 28 |
| 51, 52 | 21 | 116, 117 | 22 |
| 52.1 | 21 | 118 | 20 |
| 53, 54 | 21 | | |

| Page No. | Supplement No. | Page No. | Supplement No. |
|--------------|----------------|---------------|----------------|
| 119, 120 | 30 | 216, 217 | 26 |
| 121, 122 | 29 | 217.1 | 22 |
| 123, 124 | 11 | 218, 219 | 11 |
| 125, 126 | 11 | 220, 221 | 22 |
| 127, 128 | 23 | 222, 223 | 11 |
| 129, 130 | 11 | 224, 225 | 26 |
| 131, 132 | 23 | 226, 227 | 26 |
| 133, 134 | 29 | 227.1 | 26 |
| 135, 136 | 26 | 228, 229 | 11 |
| 137, 138 | 11 | 230, 231 | 30 |
| 139, 140 | 11 | 232, 233 | 30 |
| 141, 142 | 17 | 234, 235 | 30 |
| 143, 144 | 26 | 236, 237 | 26 |
| 145, 146 | 30 | 238 | 26 |
| 147, 148 | 30 | 239, 240 | 11 |
| 149, 150 | 30 | 241, 242 | 11 |
| 151, 152 | 30 | 243, 244 | 26 |
| 153, 154 | 30 | 245, 246 | 11 |
| 155, 155.1 | 30 | 247, 248 | 23 |
| 155.2, 155.3 | 30 | 249, 250 | 23 |
| 156, 157 | 30 | 251, 252 | 23 |
| 158, 159 | 30 | 253, 254 | 23 |
| 160, 161 | 30 | 255, 256 | 23 |
| 161.1, 162 | 30 | 257, 258 | 23 |
| 163, 164 | 28 | 259, 260 | 23 |
| 165, 166 | 11 | 261, 262 | 23 |
| 167, 168 | 16 | 263, 264 | 23 |
| 169, 170 | 11 | 265, 266 | 23 |
| 171, 172 | 17 | 267, 268 | 23 |
| 173, 174 | 11 | 269, 270 | 23 |
| 175, 176 | 11 | 271, 272 | 25 |
| 177, 178 | 11 | 272.1 | 25 |
| 179, 179.1 | 27 | 273, 274 | 23 |
| 179.2, 179.3 | 27 | 275, 276 | 23 |
| 179.4, 179.5 | 30 | 276.1, 276.2 | 29 |
| 179.6 | 30 | 276.3, 276.4 | 23 |
| 179.7, 179.8 | 30 | 276.5, 276.6 | 28 |
| 180 | 16 | 276.7, 276.8 | 28 |
| 181, 182 | 11 | 276.9, 276.10 | 28 |
| 183, 184 | 30 | 277, 278 | 26 |
| 185, 186 | 11 | 279, 280 | 26 |
| 187, 188 | 23 | 281, 282 | 22 |
| 189, 190 | 22 | 283, 284 | 11 |
| 191, 192 | 11 | 285 | 29 |
| 193, 194 | 22 | 286, 287 | 11 |
| 195, 196 | 14 | 288, 289 | 23 |
| 197, 198 | 11 | 290, 291 | 24 |
| 199, 200 | 30 | 292, 293 | 23 |
| 201, 202 | 11 | 294, 295 | 23 |
| 203, 204 | 16 | 296, 297 | 26 |
| 205, 206 | 11 | 298 | 23 |
| 207, 208 | 11 | 299, 300 | 26 |
| 209, 210 | 11 | 301, 302 | 23 |
| 211, 212 | 16 | 303, 304 | 20 |
| 213, 214 | 17 | 305, 306 | 20 |
| 215 | 11 | 307, 308 | 20 |

| Page No. | Supplement No. | Page No. | Supplement No. |
|--------------|----------------|------------|----------------|
| 309, 309.1 | 23 | 407, 408 | 26 |
| 310, 311 | 23 | 409, 410 | 26 |
| 312, 313 | 29 | 411, 412 | 23 |
| 314, 315 | 23 | 413, 414 | 26 |
| 316 | 23 | 415, 416 | Deleted |
| 317, 318 | 29 | 417, 418 | Deleted |
| 319 | 23 | 419, 420 | Deleted |
| 320, 321 | 29 | 421 | Deleted |
| 322, 323 | 29 | 422, 423 | 23 |
| 324, 325 | 26 | 423.1 | 23 |
| 326, 327 | 26 | 424 | 11 |
| 328, 329 | 29 | 425, 426 | 11 |
| 330, 331 | 29 | 427, 428 | 12 |
| 332, 333 | 29 | 429, 430 | 23 |
| 334, 335 | 30 | 431, 432 | 26 |
| 335.1, 335.2 | 29 | 433, 434 | 30 |
| 336, 337 | 26 | 435, 436 | 23 |
| 338, 339 | 26 | 437, 438 | 26 |
| 339.1 | 26 | 439, 440 | 30 |
| 340, 341 | 28 | 441, 442 | 11 |
| 342, 343 | 17 | 443, 444 | 28 |
| 344, 345 | 17 | 445, 446 | 28 |
| 346, 347 | 28 | 447, 448 | 29 |
| 347.1 | 28 | 449, 450 | 29 |
| 348, 349 | 29 | 451, 452 | 30 |
| 350, 350.1 | 29 | 453, 454 | 30 |
| 351, 352 | 26 | 455, 455.1 | 30 |
| 353, 354 | 26 | 455.2 | 30 |
| 355, 356 | 26 | 456, 457 | 11 |
| 357, 358 | 26 | 458, 459 | 11 |
| 359, 360 | 29 | 460, 461 | 11 |
| 361, 362 | 26 | 462, 463 | 24 |
| 363, 364 | 22 | 464, 465 | 16 |
| 365, 366 | 28 | | |
| 367, 368 | 11 | 500, 501 | 28 |
| 369, 370 | 11 | 502, 503 | 27 |
| 371, 372 | 29 | 504, 505 | 23 |
| 373, 374 | 23 | 506, 507 | 30 |
| 375, 376 | Deleted | 508, 509 | 30 |
| 377, 378 | 11 | 510, 511 | 30 |
| 379, 380 | 11 | | |
| 381, 382 | 11 | [1], [2] | 30 |
| 383, 384 | 23 | [3] | 30 |
| 385, 386 | 27 | | |
| 387, 388 | 23 | | |
| 389, 390 | 11 | | |
| 391, 392 | 29 | | |
| 393, 394 | 29 | | |
| 395, 396 | 23 | | |
| 397, 398 | 23 | | |
| 399, 400 | 23 | | |
| 401, 402 | 23 | | |
| 403, 404 | 23 | | |
| 405, 406 | 26 | | |

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